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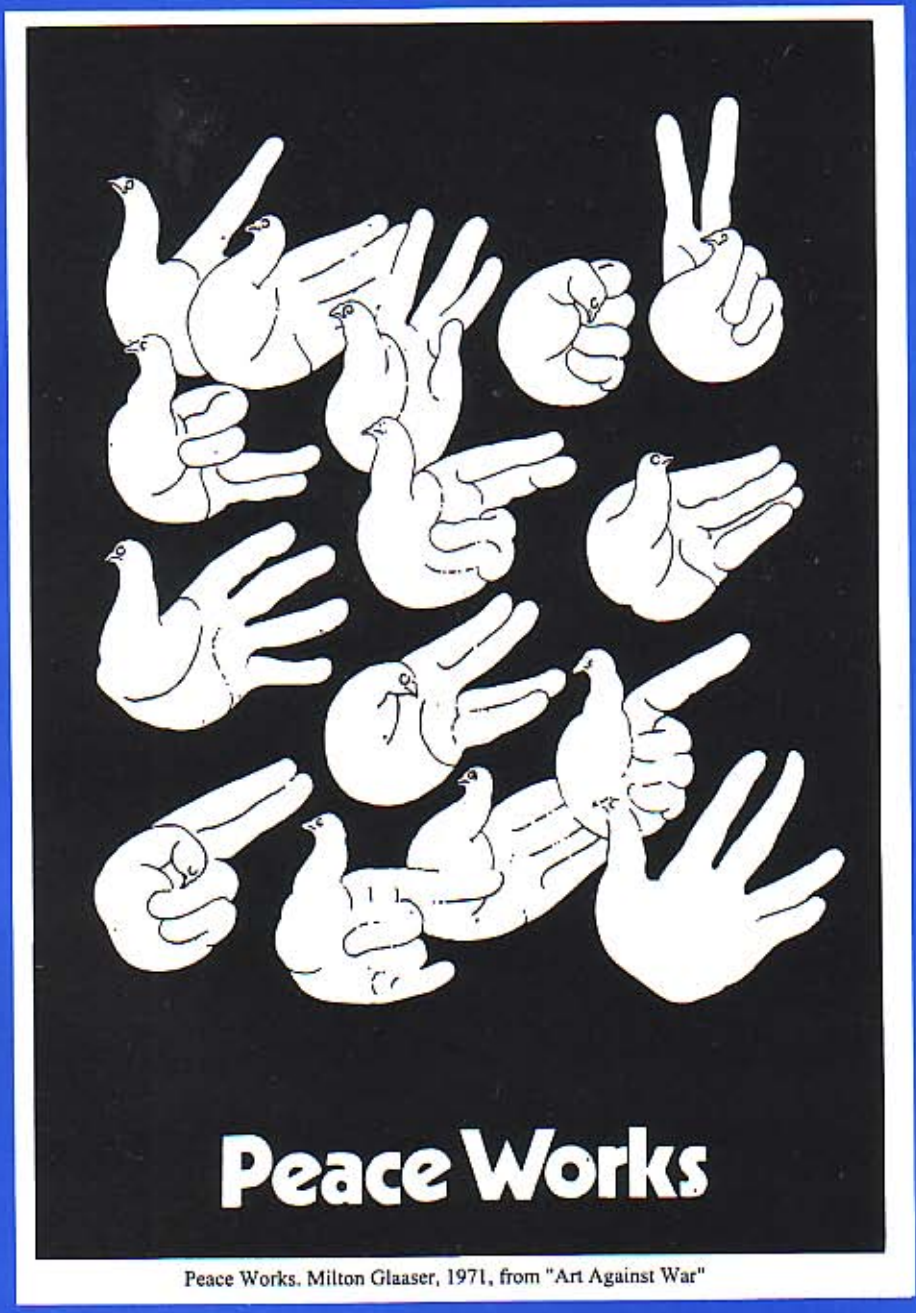

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Executive Presidency & the UNP

We witnessed on July 15 violent scenes on the streets of Colombo. One would have thought that such scenes were a thing of the past when violence against political opponents was developed and practised as a fine art under the previous regime and when institutionalised political violence characterised the entire political and social landscape of Sri Lanka under Executive Presidency of Jayawardene and Premadasa. Those were the days when the present day paragons of press freedom from the privately-owned media, either due to fear or favour, displayed their eloquent defence of press freedom by their abject silence or by singing the praises of those in power.

The context in which the recent violent incidents occurred was during a demonstration organised mainly by the UNP and the JVP protesting against the government's failure to implement its election pledge to abolish the Executive Presidential system. The government's conduct in permitting its security forces to deploy excessive and indiscriminate force against protesters, particularly against journalists, is deplorable to say the least. The journalists and civil rights organisations have vehemently protested against the force and violence used on this occasion.

As for the UNP and the JVP, they are protesting too much. The sheer enormity and barbarity of the terror and counter-terror both parties indulged in during 1988-90 is an experience that the people of Sri Lanka would not want to revisit. The UNP installed a virtual presidential dictatorship backed by political violence. If the JVP had not been vanquished, it would certainly have subjected the country and its people to a Pol-Potist brutal dictatorship. Neither party has confessed to its past sins nor has either of them engaged in any self-criticism.

The UNP installed the Executive Presidency. Its leaders who occupied that office used and abused their enormous powers with a vengeance. The UNP is still not committed to its abolition. Some of the party's leading figures are continuing to articulate the merit of retaining Executive Presidency. It is therefore hypocritical in the extreme for the UNP to organise and participate in a demonstration demanding its abolition merely on the charge that the government had not fulfilled its election pledge. Even that charge coming from the UNP is farcical. True to its commitment, the government has already placed before the public and Parliament a draft of a new constitution making provision for the abolition of the Executive Presidency. Had the UNP extended its support, by now the 1978 Constitution and the Executive Presidency would have been consigned to the dustbin of history. It is the UNP which has for the last two to three years thwarted the government's constitutional reform effort which include proposals for devolution of powers to regional councils.

It is on the issue of devolution that the UNP has been engaged in procrastination and prevarication playing silly political games saying different things at different times to different people. The UNP leader repeats very often the need to talk to the LTTE. Very few doubt that need. But he has very little to offer to the LTTE. He and his party cannot agree even to the proposals put forward by the government - which the LTTE has rejected them as inadequate - on the ground that they go too far. They have so far failed to present a viable alternative.

It was during the UNP's previous 18-year rule that the ethnic conflict escalated out of control. Its present leadership has a duty to extend its co-operation and support to resolve that conflict. The leaders of the business community in the country are presently engaged in promoting a bipartisan – PA and UNP – approach and consensus to resolve the ethnic crisis. The least that the UNP leadership can do is to honestly and genuinely extend its support to creating such a consensus.

Chemmani Grave ProbeResumed

The inquiry into the alleged surreptitious burial of persons in Chem-mani in northern Jaffna resumed on 15 July in the Magistrate's Court of Jaffna before District Judge of Mannar and Additional Magistrate Jaffna, M. Elanchelian.

Having considered the submission of the counsel for the Attorney General and counsel for the aggrieved parties, the Magistrate accepted the schedule submitted by the prosecuting counsel relating to criminal and forensic investigations.

The hearing will resume inquiry on 30August enabling court to direct all convicts of the Krishanthi Kumaraswamy rape and murder case to point out the locations of the alleged grave sites in Chemmani. Subsequently excavation work would commence on the 6 of September and field work is expected to be completed prior to the onset of the second inter-monsoon in the peninsula expected in early October.

The following are excerpts from the submission made by the Prosecuting Counsel, State Counsel Yasantha Kodagoda in court which contains the findings of the pilot phase of the investigation and also the further investigation plan:

Pursuant to the Judicial Order obtained from Your Honour's Court, and based on information obtained from Prisoner Somaratne Rajapakse, Professor Niriellage Chandrasiri and six other Judicial Medical Officers excavated a site in Chemmani, Jaffna situated at 44P0396781 and UTM 1068516. The excavation work commenced around noon on the 16th of June 1999, and was concluded soon after noon on the 17th of June 1999. On the 17th of June 1999, around noon, two, virtually complete sets of human skeletal remains were exhumed from the relevant grave site.

On the 18th of June 1999, the two sets of human skeletal remains and the personal effects found alongside the remains were shown to six persons. Out of the said persons, Sathis Kumar Shanthi identified the personal effects found with the set of human skeletal remains labelled (at the stage of exhumation) as 'body 1', as that of her husband Rasia Sathis Kumar.

Mahendran Vanitha and Sivaneswaran Rita identified the personal effects found with the set of human skeletal remains labelled as 'body 2', as that of their brother Mahendran Babu. Suppiah Ravi also assisted in the identification of the personal effects of Mahendran Babu.

Having taken into consideration all the relevant material, Professor Niriellage Chandrasiri has arrived at a 'provisional finding' on the identification of the two sets of human skeletal remains. According to his provisional opinion, the set of human skeletal remains that were labelled as 'body 1', belongs to a person named 'Rasia Sathis Kumar' (male), and the set of human skeletal remains that were labelled as 'body 2', belongs to a person named 'Mahendran Babu' (male).

However, Professor Niriellage Chandrasiri has indicated that, it would be necessary in the instant case to perform 'Mitocondrial DNA analysis' in order to arrive at a finding on the identification of the dead, to a scientific certainty. Steps will be taken to conduct the relevant tests.

Professor Niriellage Chandrasiri has expressed the opinion that, Rasia Sathis Kumar had died as a result of severe brain injury resulting from one or more blows given to the head with a heavy club. According to Professor N. Chandrasiri, the exact cause of death of Mahendran Babu cannot be determined based on the presently available material. However, he has expressed the opinion that the 'possible' cause and manner of death is due to a blow on the left side of the face over the left zygomatic arch.

The personal effects referred to above, were forwarded to the Additional Government Analyst Mr. M. A. J. Mendis, for further forensic examination. It was so done, after Professor N. Chandrasiri examined the said productions in his Forensic Laboratory in Galle.

The earlier mentioned Forensic Examinations were conducted both in Chemmani, Jaffna, and in the Forensic Laboratory of Professor Niriellage Chandrasiri, observed by five foreign observers. Three of the observers were Forensic Scientists. Amnesty International, Asia Foundation and Physicians for Human Rights were represented. Observations received so far have been complimentary in nature, and the Observers have not yet commented negatively on the conduct of the local Forensic Investigators or regarding the procedures adopted by the Forensic Investigators. Further, the foreign Observers have not in any way commented adversely on the integrity or the competency of the local Forensic Experts.

Having considered the available material collected in the course of the relevant Criminal Investigation and the findings of the Forensic Examinations, there is material to conclude that the aforementioned deceased had died as a result of offences being committed on them. In the circumstances, it is respectfully submitted that criminal investigations will be conducted in order to ascertain the nature of the offence(s) committed on the aforementioned deceased persons, and the identity of the persons responsible for the commissioning of the relevant offence(s). These steps would be taken with the view to instituting criminal proceedings against the perpetrators of those offences.

Future Investigations

It has been planned to immediately continue Criminal and Foren-

sic Investigations into the revelations made by Prisoner Somaratne Rajapakse. Such investigations will be conducted, with the primary objective of ascertaining whether further human skeletal remains have been surreptitiously and illegally buried in Chemmani, and if so to scientifically exhume the relevant remains, with the view to conducting criminal investigations.

I wish to explain the primary features of the intended investigations, along with a possible time frame according to which each step of the investigation would be carried out.

16th July 1999 to the 11th August 1999 - Interviewing and recording the statements of persons who may be acquainted with facts pertaining to the alleged disappearance of persons, wrongful detention of persons, torture of detainees, murder of persons in detention and surreptitious and illegal burial of murdered persons.

20th July 1999 to the 11th August 1999 - Interviewing and recording the statements of persons who may have been involved in or concerned in the commissioning of offences.

26th July 1999 to the 28th July 1999 - Interviewing and recording the Statement of Prisoner Somaratne Rajapakse.

29th July 1999 to the 30th July 1999 - Interviewing and recording the Statement of Prisoner Dissanayake Mudiyanselage Jaya-thileka.

2nd August 1999 to the 4th August 1999 - Interviewing and recording the Statement of Prisoner Gunasekerage Pradeep Priyadharshana.

5th August 1999 to the 6th August 1999 - Interviewing and recording the Statement of Prisoner J. Mudiyanselage Jayas-inghe.

9th August 1999 to the 11th August 1999 - Interviewing and recording the Statement of Prisoner A. Suranjith Priyashantha Perera.

12th August 1999 to the 17th August 1999 - Studying of the contents of the statements made by all the prisoners, by the Criminal and Forensic Investigators. This step is necessary for the Investigators to identify the following information:

(a) Extent of the land in which the graves are situated;
(b) Total number of persons whose remains may be found in the relevant area;
(c) Extent of the support services necessary for the investigation;
(d) Logistical requirements.

30th August 1999 to the 1st September 1999 - Getting the prisoners to individually point out to the Hon. Magistrate and the Investigators, the locations of all the graves in Chemmani and Ariyalai.

30th August 1999 to the 3rd of September 1999 - Preparatory field work.

6th September to the 30th of September 1999 - Exhumation.

It is the intention of the Criminal and Forensic Investigators to complete the exhumation of skeletal remains prior to the onset of the 2nd Inter Monsoon in the Northern Peninsula. According to predictions made by the Department of Meteorology, the 2nd inter-Monsoon is not expected prior to the end of September.

Violence Confronts Protest March

Widespread violence broke out during the demonstration organised by the main opposition party, the United National Party(UNP) and the Janatha Vimukthi Peramuna(JVP) on 15 July protesting against the failure of the Government to keep its election pledge to abolish the Executive Presidential system of government.

Police set up road-blocks, used tear-gas and baton-charged demonstrators who tried to storm their way into the capital's most heavily guarded high security zone where "Temple Trees", the Presidential office and residence are located. At least 30 persons were hurt and needed hospital treatment although none was critically injured. Among the victims of the police violence were many journalists covering the demonstration. The violence directed at the journalists in particular has provoked an angry reaction from the island's media organisations including the Editors' Guild and the Free Media Movement.

Since the violent incidents, both the government and the opposition UNP have charged each other of unleashing the violence.

Government politicians have accused the UNP of provoking the violence by staging an illegal march and permitting its "thugs" to attack the police with stone and other objects. By directing the demonstrators towards Temple Trees, the organisers were not only provoking but also inviting a violent response from the police, said a cabinet minister.

On the other hand, the UNP has accused the government of deploying personnel from the Presidential Security Division, some of whom were allegedly in civilian attire, to unleash violence against the protesters.

Independent commentators have placed blame on both the government and the opposition UNP and the JVP who organised the march. The government has been blamed by them for either ordering or permitting the use of excessive force disproportionate to the risk posed by the demonstrators. They characterised the violence deployed as indiscriminate in as much as journalists who were performing their normal professional duty were also attacked. They also said there was reason to believe that the UNP had ulterior motives to provoke a violent incident of this nature at this time when the Government is said to be preparing for the holding of the Presidential election sometime after September this year. They also doubt the good intention of the UNP in organising and participating in a march

(continued on next page)

GMOA AND DEVOLUTION

The recent strike by Sri Lankan government doctors led by the Government Medical Officers Association that crippled the island's medical services except for some emergency services in hospitals has triggered off a wider debate - the right of the doctors to pursue what they regard as a legitimate demand by strike action, the right of the public to obtain uninterrupted health service, and above all the right of the Provincial Councils established under the country's constitution to exercise its functions in accordance with the law as it stands.

Some 4,500 doctors in hundreds of state-run hospitals began the strike on June 14 to protest against efforts to give Provincial Councils control over health services. The doctors' case is that control of the health services at the provincial level would lead to political influence and favouritism.

Beyond the immediate problem faced by the public in regard to their health care was the larger constitution and political issue of delimiting powers in a unitary State between the Central government and the Provincial Councils to which the subject of health services has been devolved under the 13th Amendment to the island's constitution. The strike by the doctors union was precipitated as a result of a recent initiative by a Provincial Chief Minister to exercise the PC's powers of selection of doctors for provincial hospitals.

Up to now the practice has been that the Public Services Commission selected the doctors for island-wide appointment, with a representative from the province included in the panel. The names were then recommended to the Governor for formal appointment. On challenging the practice, the CM of the North Western Province was granted a favourable interim injunction by a Court of Appeal.

While the CM has taken the Provincial Councils Act as the basis for his action, the doctors have been demanding continuation of Central control over provincial medical posts in accordance with an earlier Cabinet decision. The doctors want the selections be made at the Central level to ensure that there was no political interference in appointments.

Whatever the merit of the doctor's case, the strike was aimed at the heart of the constitutionally established devolution of powers to the Provincial Councils under which "establishment and maintenance" of public hospitals, and "public health services" is a devolved matter.

After two weeks, the GMOA suspended the strike and the medical services have been restored. But when it launched the strike, it took a big gamble. Firstly it provoked enormous public resentment and anger. The public did not take kindly to the "well-healed and affluent doctors" enjoying many perks including the right to engage in lucrative private practice while also drawing their salaries from the public purse crippling the medical services and paralysing hospitals and putting patients' lives at risk.

Secondly, there was no remedy with which the government could respond to meet the striking doctors' demands because the government was bound by the constitutional provisions and to add to that a court order.

The government's position was complicated by the fact that in March this year buckling under pressure from the GMOA the government had approved a national health policy that provided for the retention of the power of appointment, promotion and transfer of medical personnel with the central government. The policy was under implementation when a provincial council challenged its right to appoint doctors and medical staff in the province in court, and got a stay order on further appointments.

Faced with rising public anger in the face of a looming health crisis, the government declared the health service "an essential service" which automatically declared the strike led by the GMOA illegal.

When the doctors continued with their illegal strike, a Colombo judge ordered the arrest of senior officials of the GMOA following a public interest petition filed by a group of lawyers. The lawyers argued that since health was declared an essential service by the government and the strike banned, the public had a right to medical services.

"Trade unions don't have the freedom of the wild ass. The public has a right to services," was the comment of many observers.

"This has raised some interesting issues vis-a-vis the rights of trade unions and the public," said Dr. Pakia-sothy Saravamuttu, executive director of the Center for Policy Alternatives (CPA), which is supportive of public interest litigation. He said ordinary citizens were increasingly exercising fun-da- mental rights issues through petitions in courts. Earlier this year, two members of the Center in their private capacity challenged the postponement of provincial council elections saying their right to exercise their vote had been violated. The Supreme Court agre-ed with their view and ordered the Elections Commissioner to hold the polls, put off by the government last year on security grounds. ●

(continued from page 5)

demanding the abolition of the Executive Presidency when in fact it was the UNP when it was in power which installed the Executive Presidency and its policy continues to be its retention.

They also say that the UNP knew that they had to obtain a police permit to hold a public demonstration, but it chose not to and organised an illegal demonstration. Secondly they knew they would be stopped if the march proceeded into the country's most highly protected security zone, but they proceeded to deliberately provoke a confrontation with the security forces.

Some have expressed fears that the violent incidents on 15 July constitutes only a dry-run and a foretaste of the violence that may possibly characterise the forthcoming elections.

Fears of Humanitarian Crisis

Aid agencies have warned of a potential humanitarian crisis in the territory held by Tamil Tigers because the area has been completely cut off from the rest of Sri Lanka for the past several weeks. The Government and the Tigers have so far failed to agree on conditions for opening up a new road link between the two areas they control.

Food and medical supplies are reported to be running low in the area under the control of the LTTE, known as the Wanni. Government officials in the Mullaitivu district say they have no more flour, sugar and milk powder and that kerosene is also in very short supply.

"Government representatives in the Wanni have told us their food stocks in the area are more or less finished and no aid agencies can cross the lines to help out with food or drugs," the head of the Red Cross in Sri Lanka, Max Hadorn, said.

There are reported to be more than 80 patients waiting to be transferred from the Wanni to the hospital in the government-held town of Vavuniya. Officials have warned some of them could die without the necessary operations and treatment.

Fighting between the army and Tigers has made the earlier crossing points unsafe for civilian traffic and the road was closed at the end of last month. The proposed route from the town of Mankulam, which was captured by the army last year, proceeds north into the Tamil Tiger area along the main road that leads to the Jaffna peninsula.

The army has proposed a 5km civilian security zone on the proposed route, which it says would "avoid or minimise confrontations that will cause severe hardship to civilians".

The Tigers have said the no-man's land should be just 250 metres long. Their leaders claim that withdrawing several kilometres back from its present entrenched positions to create a demilitarised zone might encourage the army to embark on a new adventure to move forward along the road.

The Red Cross, which is mediating between the two sides, has called for a quick solution because of the humanitarian situation.

But as yet there is little sign of any compromise. Both sides have accused the other of causing deliberate suffering. Conditions in the Wanni, which is home to tens of thousands of people displaced by fighting, are harsh. It is a rural area with few facilities and little employment. Many of the people are dependent on government rations which come in along the road from the south. The road closure means the government convoys and trade by private businessmen have stopped.

Meanwhile, the condition of about 25,000 people of 12 villages in the Manthai AGA division in Mannar is said to be very distressing. They were displaced during the Ranagosa IV military operations in Vidathaltivu. Some 1500 of them who managed to get to mannar Town have related the distressing conditions of those people. They are said to be staying in Churches and open spaces in Monndrampiddy and Vellankulam villages with no relief and assistance, whatsoever, reaching them. They desperately need drinking water, food and medicines which even the NGOs are unable to provide them with because all access routes remain blocked.

About 1500 people of Vanni who came to Vavuniya for various purposes before the 'Ranagosa IV' military operations started on June 18 in Pappamoddai, Mannar, are now stranded in Vavuniya. About a hundred of them crowded up at the Vavuniya Secretariat last Friday and explained their plight. They appealed to Vavuniya GA K.Ganesh to help them in getting back to their homes. These people are said to be facing hardships for want of food and sheter. ●

LTTE Tightens Grip

Pro-government Tamil military outfits, like the military wings of PLOTE, TELO, EPDP, and EPRLF

(Razeek), are cracking under mounting pressure from the LTTE, according to Iqbal Athas, defence correspondent of "The Sunday Times", who quotes the Directorate of Internal Intelligence (DII) as saying that 79 persons from such outfits had quit to join the LTTE in recent times. Giving the break-up, Mr Athas states that 24 quit in the Jaffna peninsula, 15 in Vavuniya, and 40 in Batticaloa.

In its broadcasts over the "Voice of Tigers" in June, the LTTE had repeatedly asked the cadres of these groups to quit and either join the LTTE or "return to their families". While a senior PLOTE political leader believed that few would actually join the LTTE, as they would only be dispatched to the front lines to be slaughtered, the cadres seemed to have taken the LTTE's call seriously. As many as 17 had left to join the Tigers.

Acting as a catalyst was PLOTE military wing chief Manickathasan's call to his lower cadres to join the LTTE. Having made the call, Manickathasan himself left the country. The rumour is that he may not return. Only recently, the LTTE flexed its muscles by bumping off Bhaskaran, a top PLOTE military leader, with a claymore mine.

PLOTE has been having problems with the army for sometime now. Informed sources in Vavuniya say that PLOTE cadres have ceased to man the army?s Forward Defence Lines (FDLs) for there is a suspicion that these cadres, instead of preventing infiltration of the LTTE, were enabling it.

The army had to take punitive measures when PLOTE went out of hand extorting money from the people, killing opponents and not doing its assigned anti-LTTE role. As many as 24 civilians were killed by PLOTE this year in Vavuniya,, says a source there.

On the same subject, D B S Jeyaraj, in one of his recent columns wrote, "The LTTE has launched another tactical campaign. It seeks to destroy all vestiges of a civil administration in the Government-controlled areas of the north and east. It has stepped up attacks against the Army in the peninsula. It has killed several recently elected members of the local authorities. Besides, it enforced a boycott of government offices by government employees for two days in a week. This paralysed government institutions. The boycott, which was the result of a mere warning, illus-

trated the LTTE's hegemony over the Tamil people. After proving their point the Tigers suspended the boycott.

The LTTE also issued a stern appeal to rival Tamil groups, after killing Razeek, the leader of the Razeek Group, in Batticaloa. It called upon their members to redeem themselves by joining the LTTE. They would be forgiven if they did so now, and hereafter there would be no further opportunities, the Tigers stated. This resulted in a considerable number of members of smaller organisations joining the LTTE ranks. The military commander of the People's Liberation Organisation of Tamil Eelam (PLOTE), Manickadasan openly asked his colleagues to join the LTTE and then left for Singapore. Perturbed by this development, the Army has been disarming many of the organisations aligned to it.

"In another controversial move, the LTTE has embarked upon a stratagem in Batticaloa district of the Eastern Province. It has conveyed a message to the five members of Parliament elected from the district that they should not meet their constituents or attend public functions in the future. These MPs comprise Pararajasingham, Selvarajah and Thurairajasingham of the Tamil United Liberation Front (TULF), Ali Zahir Moulana of the United National Party (UNP) and Hizbullah of the Muslim Congress, a Deputy Minister. All of them took the warning seriously and returned to Colombo after cancelling all their engagements.

Later the Tigers made a public announcement that no one should participate in government functions or invite politicians for functions of a private nature."

Package Before Parliament in September?

It is reported that the Government is expected to present in Parliament in September later this year a new draft Constitution which will provide for the abolition of the Executive Presidency and devolution of powers to Regional Councils provided a consensus between the ruling Peoples Alliance and the UNP has been reached by then. Both parties have also agreed that the consent of the minority parties should also be obtained.

Promoted by leaders of Sri Lanka's business community, two rounds of talks have already taken place between the delegations of the PA and the UNP.

Both sides were agreed that "silent diplomacy" should be the order of the day at these consultations which took place in parliament with only Mr. Lalith Kotelawela, the business leaders' coordinator, representing the business community.

Kotelawela at the meeting suggested that he would like to take the proposals emerging from these consultations to the LTTE. Both Prof. G. L. Peiris and Mr. A. C. S. Hameed made it clear that this would only be possible with President Kumaratunga's and Mr. Ranil Wickramesinghe's concurrence.

The PA delegation to last meeting was led by Prof. Peiris and comprised Governors Neville Kanakaratne and K. Vignarajah. Minister M. H. M. Ashraff who was due to participate was not present.

The UNP delegation was led by Mr. Hameed, Messrs. K. N. Choksy, D. M. Swaminathan and Mr. Karunasena Kodituwakku (for Mr. Ronnie de Mel who is abroad) were the other delegates.

The businessmen's delegation comprised Messrs. Kotelawela, Ken Balendra, Nigel Austin and Lyn Fernando.

Prof. Pieris is reported to have identified the vital issues to include the nature of the state, the unit of devolution and land. Mr. Choksy stressed the importance of a consensus on whether the state will be a union of regions as proposed by the PA in its devolution package or a continuation of present concept of the unitary state with certain constitutional powers devolved directly to the provincial councils.

Mr. Hameed asked that the basic issues of the nature of the state and the unit of devolution be taken up first.

Following the meeting of the delegations on 15 July, a press release stated: "The delegations agreed that discussions would continue with a view to arriving at a consensus on the constitutional proposals.

"The following were identified as the core requirements:

1. That the fundamental issues be addressed; 2. That agreement be reached on these issues between the PA and the UNP;3. That the proposals, as agreed upon between the PA and the UNP, be acceptable to the minorities.

"It was agreed that, once these requirements are satisfied, the Government would prepare legislation for submission to Parliament as rapidly as possible.

"One of the features of this legislation, in the form of the draft constitutional document, would be the abolition of the Executive Presidency."

Ashraff for Ethnic Quotas

Port Development, Rehabilitation and Reconstruction Minister M. H. M. Ashraff is urging special consideration for minorities in public sector recruitment and strongly backing an ethnic quota.

"The main issue that the cabinet should address its mind to is not whether the ethnic quota system offends the constitution but whether this system is a healthy feature in todays Sri Lankan political context. If the answer is in the affirmative, then the remedy is not to drop the ethnic quota system but to amend the Constitution. It would be unfortunate and counter-productive to look at the question from the opposite point of view," Ashraff has said in a cabinet memorandum.

He has pointed out that in the Indian constitution there is special provision accommodating special categories of people such as members of scheduled castes. "This applies to recruitment even to the Indian Administrative Service."

He has expressed his disagreement with a joint report by the Secretary to the Ministry of Public Administration, Home Affairs and Plantation Industries and the Attorney General on "National policy for recruitment to the public service, provincial public service and

the public corporate sector - ethnic quota system."

The minister who has drawn attention to Supreme Court determination that held that "applying ethnic quota for promotions was unconstitutional," has said that this decision flowed from the Attorney-General's thinking on the subject.

"It must be borne in mind that it is the opinion of the Attorney-General who felt that the ethnic quota at recruitment would violate the equality provisions of the Constitution that led to the Supreme Court coming to the same decision," he has said.

Rs 345m for Jaffna Projects

The international community since 1996 has provided Rs. 345 million for projects in the peninsula, according to Resettlement and Rehabilitation Authority of the North [RRAN] officials.

The international community with the assistance of the RRAN had so far implemented 306 projects worth approximately Rs 345 million. Another 135 projects worth about Rs. 128 million are being implemented within the peninsula.

India, France, Netherlands, Germany and British governments had supported Jaffna projects. Some of the assistance had been channelled through international NGOs and various government agencies, GTZ, UNDP, UNOPS, ECHO, ODA [UK], UNHCR, UNICEF, SIDA, AusAid, CIDA, FAO, NORAD and USAID.

RRAN said that within the 1996-1998 period 62 agricultural projects worth Rs 325 million were approved. But so far only 43 projects worth Rs 103 million had been completed. "The remaining are being implemented," RRAN official said.

Completed and ongoing Jaffna projects cover industries and trade, human settlement, economic infrastructure, transport and social infrastructure. Under these, hospitals had been rehabilitated. The restoration of electricity to thousands of people is perhaps one of the most important jobs we have done, the official said. According to RRAN, the Ceylon Electricity Board [CEB] has provided 24 hour supply for 16,936 consumers. Another 8,056 consumers have been given power but on alternate days. However, the peninsula is still not connected to the main grid and depends on generators, some of which supplied by the British government.

Last month the LTTE blew up a generator at Mirusuvil in the Chavakachcheri area. Officials admit that they have been able to provide electricity to only a small percentage of the total requirement.

Apart from the funds provided by the international community, the government, since the middle of 1996 to 1998 had spent Rs. 4,143 million for rehabilitation, reconstruction and food relief. Of this amount, about Rs 3,500 million had been spent on food relief provided through the Commissioner General of Essential Services.

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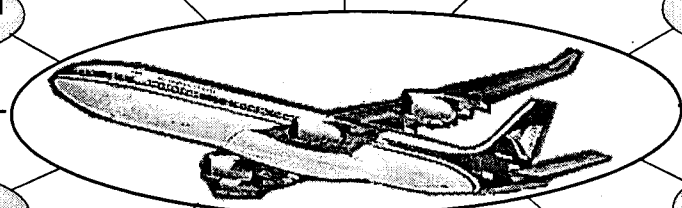

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Governments Urged to be Transparent and Accountable

Fifty years or more of freedom have not made South Asia's governments more transparent or accountable. Instead they cling to a policy of confidentiality on official information inherited from British colonialists, human rights activists declared following a meeting held at Dhaka recently.

The region's more than one billion people are denied the basic right to know the details of government policies which affect their lives and survival. Far from being a transparent government, there is a wall between the democratically-elected rulers and the ruled, resulting in the people's exclusion from decision-making processes.

"The secrecy of government that we inherited during colonialism still continues, and the large section of the poor continue to suffer because of a lack of information," declared former Bangladeshi foreign minister Kamal Hossain.

"There can be no effective accountability... unless the people have the right to information," he asserted at a three-day work-shop on the "Right to Information in South Asia," organised by the Commonwealth Human Rights Initiative.

The time has come to challenge the "culture of silence" that prevails among governments in the region, speaker after speaker from India, Pakistan, Sri Lanka and Bangladesh said.

Deepika Udagama, a lecturer in human rights at Colombo's law faculty, said the Sri Lankan experience of democracy has been restricted to participation in elections. But that is changing, she added. "Now there is talk of direct participation; now the people want to know what is happening in their governments."

In the region, only two countries have responded to a grass-roots demand for the conceding of the "right to information" - India and Pakistan. In both cases, however, the government bills still have to be approved by their law-making bodies.

The Indian bill, for instance, titled the Freedom of Information Bill, 1997, guarantees every citizen the right to "secure access to information under the control of public authorities, consistent with public interest, in order to promote openness, transparency and accountability."

It was drafted following huge public pressure for openness created by non-governmental organisations led by the Rajasthan-based workers and farmers group called Mazdoor Kisaan Shakti Sangathan (MKSS). Begun 10 years ago, villagers who form the backbone of the MKSS started campaigning for a "social audit," which demanded a scrutiny on the monies spent for development by village councils. Raising slogans like "Right to information; a Right to Survive" and "Our Money; Our Accounts," the villagers numbering in their thousands forced open the financial books that had been closed to them.

"We have forced the government to be accountable," declared Madhusudan Mistry, an NGO activist who said the struggle for transparency in government programs has been rewarding. Previously, bureaucrats and politicians stonewalled and dawdled over programs, the full details of which were not known to people, saying their work could not be challenged.

Interestingly the 'right to information' demand has been voiced by the marginalised sections of people in the region's countries. In South Asia, those below the poverty line, the rural poor, make up a larger slice of the population. Yet since independence in the late 1940s, the effects of development have hardly trickled in their direction. For decades they have stagnated, unaware of the money and the benefits due their way.

Said the New Delhi-based Commonwealth Human Rights Initia-tive's director Maja Daruwala: "This right is vital to the poor of our region. They will be the actual beneficiaries." Groups like hers would like to see the government give access to records of proceedings and meeting, copies of decisions, rules and notices, copies of entries in government registers, copies of accounts, of maps, of drawings and of work sites.

If enacted into law by their governments, South Asia would be complying with Article 19 of the Universal Declaration of Human Rights, 1948, which states: "Everyone has a right to freedom of opinion and expression; This right includes freedom to hold opinions without interference and to seek receive and impart in- formation and ideas through any media and regardless of frontiers."

In addition, the Commonwealth Law Ministers conference in Barbados in 1990 had declared: "Public participation in the democratic and governmental process was at its most meaningful when citizens had adequate access to official information." But the process of putting this "right" in statute books looks set to be an arduous one. Activists at the meeting agreed that one stumbling block before them is the "Official Secrets Act," another legacy of colonial rule.

Torture Prevails, Despite Reforms

Despite several positive steps in recent years by the Government, torture continues to mar Sri Lanka's human rights record, Amnesty International said in a report released on 1 June titled "SRI LANKA: TORTURE IN CUSTODY"..

Torture by the security forces is reported almost daily in the context of their ongoing armed conflict with the Liberation Tigers of Tamil Eelam (LTTE), who are fighting for an independent state, Eelam, in the north and east. The LTTE has also been responsible for torture. But the problem extends to routine policing, with police officers regularly torturing criminal suspects and people detained in relation to local disputes.

"Sri Lanka has shown some commitment to eradicating torture - a real achievement given the country's ongoing conflict," Amnesty International said. "However, the fact that torture continues to be reported frequently means there is still a long way to go before changes in the law lead to changes on the ground."

In spite of existing legal safeguards, torture continues to be committed with

relative impunity. Only a handful of cases against police officers are reportedly pending in the courts, and so far no one has been convicted for torture.

"The recent landmark judgment which sentenced members of Sri Lanka's security forces to long prison terms for 'disappearances' and political killings sent an important signal that nobody can expect to get away with these crimes anymore," Amnesty International said, adding "The time has now come for Sri Lanka to bring the torturers to justice. Showing that torture will no longer be tolerated could have a major impact on the lives of many ordinary people who are currently in danger of suffering appalling treatment in custody."

In May 1998, Sri Lanka appeared for the first time before the United Nations (UN) Committee against Torture. The government acknowledged that torture was a problem in the country and pledged that "every effort would be made" to put into effect the conclusions and recommendations of the Committee. But this commitment has yet to be put into practice.

Routine torture methods outlined in the report include near-suffocation by either "dry submarino" - pulling a shopping bag containing chillies and/or petrol over the head and tying it to the base of the neck, or "wet submarino" - lowering someone into a water tub or well. Many detainees report being beaten with cricket bats, PVC pipes filled with sand or concrete, being burnt with lighted cigarettes and given electric shock treatment. Extreme forms of torture include burning with melted polythene, drilling into feet, inserting nails into feet or other parts of the body and rape of female detainees.

In northern Sri Lanka, most torture allegations are directed against members of the army, while the navy has also been implicated. In the east, members of the army, Special Task Force (STF) and police have been responsible for torture. Members of several armed groups fighting alongside the security forces against the LTTE , including the People's Liberation Organisation of Tamil Eelam (PLOTE), Tamil Eelam Liberation Organization (TELO), and "Razeek group", have also been named as perpetrators.

Likewise, the LTTE have been responsible for torturing prisoners, including by inserting pins and nails under fingernails and burning people with heated rods. Amnesty International has also received reports that children as young as 14 have been ill-treated after being forcibly recruited by the LTTE.

The arrest and torture of children by security forces is not common, but several chilling reports have emerged of young Tamil children being tortured in custody on suspicion of being LTTE members or to force family members to hand themselves over.

Rape committed during armed conflict constitutes an act of torture and is clearly prohibited by the rules of war and by international human rights law. However, despite Sri Lanka's legal provisions designed to protect women in custody, a number of rapes by members of the security forces are reported every year, particularly in the north and east. Given the cultural and religious context, it is thought that many cases of rape go unreported.

Apart from the current impunity for torturers, other reasons for its prevalence include the security forces' wide powers to detain people long-term without having to bring them before a judicial authority, Sri Lanka's lack of legal standards setting out minimum detention conditions, the failure to enforce existing legal safeguards, the lack of an investigative body independent of the police, as well as the continuing use of unauthorised places of detention.

The torture of people detained in a non-political context is often due to the nexus between local police and local politicians, widespread corruption within the police force and a general lack of independence on the part of the police.

In its report, Amnesty International again welcomes Sri Lanka's ratification of the UN Convention against Torture and the passing of the Torture Act. However, these steps are clearly not enough.

The AI is therefore calling on the government of Sri Lanka to fully implement the recommendations of the Committee against Torture. It also proposes a program of action for the prevention of torture.

Individuals and organisations, including legal and medical professionals, are invited to join in promoting the program.

The report also calls on the LTTE to bring an immediate halt to torture and other violations of international humanitarian law.

Sri Lanka may have improved its human rights record in recent years but torture is still a problem, with authorities slow in prosecuting members of state agencies who are guilty of abuses, rights activists in Colombo say.

Prof. Ravindra Fernando, director of Colombo University's Human Rights Centre, says the government is reluctant to prosecute law enforcement officers except in a few "high profile show trials" which are merely to appease public anger and international criticism. "The government is in a dilemma due to the military situation in the north - taking disciplinary action against security forces might lead to resistance from military personnel," he is quoted saying in a new book titled "Impunity in Sri Lanka."

Of particular concern also is the growing number of rights violations by members of non-state agencies - like the Tamil Tigers (LTTE) engaged in armed confrontation with the government as well as pro-government Tamil groups helping security forces against the rebels.

Last year, the Family Rehabilitation Centre (FRC) - which provides medical care and counsels victims of Sri Lanka's armed conflict - treated up to 3,400 torture and trauma victims and their families. "Torture is still a serious problem in Sri Lanka. It is a hidden issue - suppressed by the victim and the perpetrator," says Wimal Diyasena, FRC's executive director. The FRC, is the Sri Lankan counterpart of the International Rehabilitation Council for Torture Victims (IRTC) based in Copenhagen.

When the ruling People's Alliance (PA) coalition took power in 1994, it promised to end an era of state terrorism. Since 1983, during the previous United National Party regime, thousands of people died or went "missing" during twin campaigns by Tamil militants and leftwing Sinhalese rebels to defy the state. Tthousands were taken into custody and deteained without charges or trials. Torture was widespread with extra-judicial executions as well as deaths in custody. Security forces were allowed to dispose of bodies without reporting to a magistrate or holding a post-mortem, under a law that was later repealed in 1990. Also the Prevention of Terrorism Act (PTA), enacted in 1982 gave security forces wide powers of arrest and detention and also exemption from prosecution.

Though it has not repealed the PTA, the present government has taken some positive steps towards human rights legislation like ratifying the International Convention on Torture and enacting enabling legislation last year like the Anti-Torture Act. So far 122 nations have ratified the convention.

At a recently held FRC symposium on Torture, Justice Minister Prof Gamini Lakshman Peiris discussed how the government went about tackling human rights abuses. He said that when it set out to take action against several police and military officers for human rights abuses, it was advised that this would be an unwise step because of the predictable resentment from the security services upon which the government had to rely on to fight the Tamil Tigers. "But we went ahead against such advise and have been and are filing action against guilty officers," Peiris said. The government faces the risk of upsetting the military who are engaged in a war with the rebels.

Three presidential commissions probing disappearances during 1988-1991 received more than 30,000 complaints from families of victims. By mid-1997 when their mandate ran out, the commissions investigated about 19,000 cases and submitted reports to President Chandrika Kumaratunga in September of the same year.

The commissions have implicated hundreds of officers in the disappearances but legal action has been slow, prompting rights groups to accuse the government of backtracking on election assurances that the guilty would be found and punished.

A spokesman for the Attorney General's Department said charges have been brought against 119 officers for abduction and illegal detention. Another 45 cases of murder are pending in the courts against officers.

The government's stated commitment to stop rights abuses has had some impact on the military. There have been violations in recent years but not of a widespread nature as in the past and there is a general acknowledgment amongst the military that the rights of individuals must be respected.

Dr. Deepika Udugama, another director at the Colombo University's Human Rights Centre, said there was a great deal of resistance when they ran a series of training courses on human rights for the military and the police, some years ago. "The perception was that - we (military) were given these sanctions that we had to execute, and now we (officers) are being made scapegoats," she said, adding however that perceptions have changed dramatically.

Since then many institutions including the FRC and the Geneva-based International Committee of the Red Cross (ICRC) which disseminates rule of behaviour in combat, are conducting training courses on human rights and the law for the armed forces.

FRC's Diyasena said they held three torture prevention programs at military camps last year. "The attitude of the military has changed and they are beginning to understand the concept of human rights. There is a much better understanding of an individual's rights," he said. "Sri Lanka has shown some commitment to eradicating torture - a real achievement given the country's ongoing conflict," Amnesty said in its June 1 report. "However the fact that torture continues to be reported frequently means there is still a long way to go before changes in the law lead to changes on the ground."

"Positive First Steps Towards Truth and Justice"

As the skeletal remains of two bodies of people who disappeared in the Chemmani area of Jaffna in mid-1996 recovered in mid-June this year were being analysed, Amnesty International said in a statement dated 22 June, the exhumation was a first important step towards full accountability for the widespread "disappearances" in the area during that period.

Speaking at a press conference in Colombo, Amnesty Internationals observers to the process commended the government of Sri Lanka for embarking on this investigation of one of possibly many shallow graves. They also expressed their hope that further phases of the investigation process will be carried out in full accordance with international standards for the investigation of alleged extrajudicial executions.

Two observers from the human rights organisation and two forensic experts from Physicians for Human Rights (USA) on 16 and 17 June witnessed local forensic experts digging up two bodies from a shallow grave identified by Somaratne Rajapakse.

Rajapakse is a former army lance corporal found guilty of abducting, raping and murdering a schoolgirl and killing her mother, young brother and neighbour in September 1996 in Chemmani. At the conclusion of his trial in July 1998, he revealed that many more bodies had been disposed of at this place.

One of the victims found in the grave was blindfolded with a shirt; the other had his hands tied behind his back with a vest. Relatives later identified them as two garage workers who had disappeared after they were arrested by army personnel on 19 August 1996.

Amnesty International welcomed the Sri Lankan authorities decision to allow international human rights organisations to observe the process. It urged that this policy of transparency be continued and that local non-governmental organisations will be given observer status, when requested.

AI is concerned that relatives of suspected victims be kept informed of the progress and interim findings of the investigations, and allowed to hold funeral rites as soon as practicable. There is a need to build trust between the relatives and the investigators, one of Amnesty Internationals observers said. This would increase the chance of making this investigation successful, as the relatives have a lot of information about how people disappeared and where their remains have been disposed of. To date, many of them have not divulged this information because of a lack of trust.

Amnesty International is also urging the government to provide adequate compensation to the relatives of identified victims and to clarify when this compensation will be paid.

On 16 June, Somaratne Rajapakse made a detailed statement before the magistrate in charge of the investigation, in which he alleged that he could identify at least ten places where bodies were disposed of in the Chemmani

(continued on next page)

The Haunting Ghosts of Chemmani

Marwaan Macan-Markar from Jaffna

Paramanathan Selvarajah still remembers the clothes his son wore that day in July 1996 - a light blue shirt and ash coloured trousers - and such trinkets as a gold chain, two rings and a wristwatch. He referred to them while recalling the events surrounding his son's disappearance.

Selvarajah Prabhakaran was 24 at the time. He had been working at a textile shop. On July 31, while heading home on his scooter, he was stopped at an army checkpoint in Chemmani, four kilometres south of Jaffna. Thereafter, he had been taken to an army camp nearby.

It was hours later that his father learnt about it. A friend had informed him that a friend of his who had been travelling a short distance behind Prabhakaran had told about his son having been to the army camp. And Selvarajah responded to the news immediately: he headed towards the camp. It was 5:30 in the evening.

When he got to the army camp, Selvarajah recognised his son's scooter. It was parked in a corner, close to the entrance of the camp. But when he inquired after his son, the soldiers on duty denied having seen such a person. Nobody answering Prabhakaran's description had been arrested that day, he was told. Even such glaring evidence as the presence of his son's scooter at the army camp which Selvarajah had pointed to, did not matter. The soldiers had stuck to their story.

Not an Isolated Case

Heading home that evening, the soft-spoken, silver-haired father of two resolved to get his son back. It was a decision made amidst a swirl of worry and fear. It was a decision that Selvarajah soon found out was not an isolated one. For in his painful quest to find Prabhakaran, he came into contact with other parents, wives and other kith and kin who had suffered a fate of confronting a similar situation. As he said last Wednesday (16.6.99): "There were 22 persons who were arrested at the checkpoint that day. They were all taken to the camp and had not been seen since."

But they were not the only ones. In 1996, the first year after government troops moved into the Jaffna peninsula, close to 628 youth 'disappeared'. And the narratives of their families vary marginally when they recall what happened. In the main, all of them have not been seen after they were plucked from their homes, from their work places or from the streets by the army. In some instances, the soldiers had done so in uniform.

Digging for Evidence

Today, 64-year-old Selvarajah heads an organisation of many families who have suffered such a fate: Jaffna's Guardian Association for the Families of the Disappeared.

What Selvarajah remembers of his son, the clothes and the trinkets, others in this group remember, too. And such details will prove useful in their painful quest for their missing kin.

For it is evidence like that that the forensic team, led by Professor Nirielage Chandrasiri, will find helpful when they have to identify the bodies they unearth in Chemmani, where the remains of nearly 400 of the 'disappeared' are said to be buried. And it was to provide such information, if required, that prompted Selvarajah to make his way on Wednesday (16.6.99) afternoon to witness the first spades scoop of the dry earth of Chemmani, a flat marshland covered with wild grass and fringed with coconut and palmyrah palms. As he watched it, tears welled up in his eyes.

The Krishanthi Case

The events leading up to the excavation of mass grave in Chemmani began in July, last year, soon after the 27-year-old Somaratne Rajapakse, a corporal in the army, made a statement from the dock of the Colombo High Court after he and four other of his military colleagues were convicted and sentenced to death for the rape and murder of schoolgirl Krishanthi Kumarswamy and the multiple murders of her mother, her brother and her neighbour.

Rajapakse said: "We didn't kill anyone. We only buried bodies. We can

(Continued from page 12)

area. Others convicted with him also indicated that they have information about burial sites.

Amnesty International urged that these key witnesses be given the necessary protection to ensure they would not be intimidated or harmed. It also urged that all necessary steps be taken to guarantee the safety of the relatives of the victims and their lawyers and that the site be closely guarded.

The magistrate's order that Somaratne Rajapakse would be asked to locate all the other nine sites, and that these sites be excavated prior to the start of the rainy season in Jaffna, expected for October, presents a challenge to the government.

It will be important for the investigation team to strike a balance between proceeding with this investigation at a reasonable pace to satisfy the magistrate, the relatives, as well as the international and local communities, who have been campaigning for this investigation to start, and ensuring at the same time that the international standards of investigations are maintained, Amnesty International observers said. There is therefore a need to draw up detailed plans for the next phases of the investigation and to make these public.

Our impression is that the local forensic team, at least at some point in the next stages of the investigation, could benefit from assistance by foreign forensic experts with hands-on experience of excavating bodies buried in restricted places such as wells. Amnesty International is offering to help the government in identifying such internationally recognised forensic anthropologists, archaeologists and/or pathologists.

The Chemmani exercise underlines the need to investigate evidence of other mass graves, such as those reported by the three presidential commissions of inquiry into past disappearances, as well as reports of burials of bodies of people deliberately killed while kept captive by the Liberation Tigers of Tamil Eelam (LTTE) around 1990 in the Jaffna peninsula. ●

show you where 300 to 400 bodies have been buried." And the locality was Chemmani, an area where Rajapakse and his colleagues had served during their tour of duty in the northern Jaffna peninsula.

On Tuesday (15.6.99) morning, Rajapakse was flown to Jaffna under the watchful eye of policemen and prison officers. During the brief period he spent at the Jaffna's Palaly airport, he looked worried. The senior police officer who met him noticed the traces of worry on his forehead. That could be understood given Rajapakse's mission: to expose members of the army he had once served.

By then, he was aware of the various death threats that his family had received. And when he walked out of Antonov aircraft, handcuffed to a prison official, there were a number of soldiers to be seen. It was only when he was in the custody of the Jaffna police, locked in solitary confinement in a cell, that he relaxed.

Rajapakese's Revelation

That day the Jaffna police were not taking any chances with their prisoner. To ensure his safety, no military men were permitted within the vicinity of the police station; no food from outside was given to him. What Rajapakse ate and drank till his appearance in court came from the police kitchen. Everything, said a police officer, was tasted before being given to Rajapakse.

Rajapakse's revelation in the magistrate's court was explosive. Clearly, he was fighting for his life.

Portraying himself as a victim, he spent close to an hour explaining in Sinhala what had gone on in the area he had served. And he was not short on details, nor did he display any restraint in naming the officers in his sector who, he said, were responsible for the bodies buried in Chemmani.

At one point, he said: "I can show you how people were arrested in Ariyalai, tortured, and buried." There was another occasion when he described the torment that a youth named Uthayakumar had been put through: his body had been slashed with blades and he had been hung by his feet.

Rajapakse's Confession

On the morning of Wednesday, June 16, Corporal Somaratne Rajapakse was brought into Jaffna Magistrate's Court under tight security. During the first hour of court proceedings, Rajapakse was confined to a room in the complex. He was handcuffed to a prison officer. That morning, Rajapakse was expected to reveal the places where he had buried people who had been killed by the army in 1996. Rajapakse had first made this revelation at the end of his trial in July last year where he was convicted in the Krishanthi Kumaraswamy rape and murder case along with four other soldiers. At around 11 am, Rajapakse, in a white shirt and grey slacks, was led into the courtroom in the company of three policemen. He revealed details of arrests, torture and murder that had taken place in and around Chemmani area where he served in 1996.

Excerpts Rajapakse's confession in court::

"I was at the Ariyalai camp doing civil administration. At that time I worked under Captain Lalith Hewa. My job was to register family names and the names of youth. We would prepare two lists.

Once, Captain Lalith Hewa and Lieutenant Wijesiriwardene brought soldiers from another section to work under me. We were given a list of people who they said were Tiger suspects. I was asked to show the places where these suspects lived. Thereafter they conducted cordon-and-search operations.

Major Weerakkody and Major Gunasekera brought people before two Tiger informants and the informants were asked to point out who the Tiger suspects were. The ones they had identified were separated from the rest. About 50 people were identified and were photographed.

At Ariyalai I can show how people were arrested killed and buried. At the beginning some people were arrested and brought to a camp and kept at the Jaya building. Some were kept at a school. The ones who ordered this were Captain Lalith Hewa, Lt. Wijesiriwardene and Lt. Thudugala.

They were also the ones involved in the arrest of the government servant Selvaratnam. He was brought to the camp. The next day his wife came and asked me whether I had seen him. I did not have the answer then. At that camp there was a building used to torture people. I can show it to you now. When I went to the camp, there were 25 people in that building. Selvaratnam was also there. His legs were tied. He pleaded with me saying he didn't have any Tiger connections. I asked Captain Hewa to release him. He agreed. But that night they killed him.

The next day when I went back I saw 10 more dead bodies. When I was working at the Jaya building, another man, one Udaya Kumara, was arrested. His family came and pleaded for his release. I went and asked Captain Jayawardena to do so. That afternoon he was taken to another camp. When I went there, they got a radio message asking to release this man. He was hanging by his feet and his body was cut with blades. They couldn't release him. He was killed later. I know the weapons they used for torture very well and I can show them to you in that building.

There was a day when I was asked to bring a mammoty by Captain Lalith Hewa. When I got there, Captain Hewa was with a woman who had no clothes on. This woman and her husband had been brought to the camp earlier. Lalith Hewa raped the woman. Later, he attacked the woman and her husband with the mammoty I brought and he also used some rods. Both of them died. He tried to bury them there but couldn't. Then the bodies were brought to Chemmani. I can show you where they are buried.

Lots of people disappeared from Ariyalai. I can tell you how many were arrested. I also know how many people were buried. Although I was accused of murdering Krishanthi Kumaraswamy I didn't do it. I buried her body but didn't know at the time that it was her. My four colleagues who were convicted and I, all gave statements.

I can show you 10 places in Chemmani where bodies are buried. ASP Perera can show five places. D. M. Jayatilleke can show one place near a kovil where a number of people were buried.

There is also an area behind the Jaya building. I know of two workers in a garage owned by one Ravi who were taken to the main camp. They were killed. I know where they have been buried."

Then there was an incident involving Captain Lalith Hewa, who had taken into custody a married couple, raped the wife, and then killed her and a husband by beating them up with a mammoty and iron rods. In that gruesome instance, it was Rajapakse who had been ordered to bring the mammoty.

Following his evidence, Rajapakse was driven to Chemmani where he had agreed to show one of the 10 grave sites where he had buried bodies. And the location he chose, a junction along the Nallur road, by the side of a gravel track, was almost 500 metres from the main road, and a similar distance from the place where Chandrasiri and his forensic team had conducted a study to assess if the soil had been disturbed on March 5 this year. According to Rajapakse, there were two bodies buried at the spot.

Investigating Strategy

At the time the investigators had agreed upon a common strategy. According to State Counsel Yasantha Kodagoda, only four bodies would be unearthed. Addressing a press conference earlier that day at the military base in Palaly, Kodagoda spelt out their reasons. "We have the logistics to collect only four skeletal remains," he said. If they succeeded, he added, the skeletal remains would be flown to Chandrasiri's office in Galle for further analysis.

Three hours after the digging had begun, a slow process, made more difficult by the dry bed of sand, the forensic team came upon earth that was of a different character to the few feet of top soil they had unearthed. It was different of a colour and texture. As one soil expert said, the next day, it had the hallmarks of soil one would notice near a grave. "We knew we were onto something by the amount of moisture," he added.

An hour later, they came upon the first sign of a buried body: a part of a knee with shreds of a trouser clinging to it. It was about two feet from the surface. But with fading light and the shadows stretching over this desolate area, they stopped.

The bed of the pit was covered with a black plastic sheet. A police guard was placed around it.

According to Doctor William Haguland of Physicians for Human Rights, who was flown into Jaffna along with other international observers, the process and pace of work had been encouraging. In such excavations, one cannot hurry, he said. For that can only contribute towards another crime: "Evidence will be destroyed, and the families denied the chance of identifying their relatives."

Jaffna's only psychiatrist, Doctor Daya Somasundaram, agreed with such a view. He felt the families of the disappeared need to know the truth about their husbands, sons and daughters. Having treated some of the family members of the disappeared, he said it would help them complete 'the normal ritual of death and mourning.'

Both admitted to the sadness of the process. There was no escaping it. As Haguland put it: "What we are doing is trying to give a voice to the voiceless, so that there stories can come out."

Looking for the Disappeared

And at Chemmani, in addition to such broken down figures as Selva-rajah, there were close to 15 women who sat on a grassy knoll some 400 metres away, following the excavation. They were the mothers and wives of the disappeared. Among them was Gowri Velusamy, 52. It was her son, V. Rajendra, 20, who has been missing. And she still believes that he is alive.

So what had brought her to Chemmani? "To get the international observers to find her son," she replied.

Another woman had a different answer: "To find out whether any bodies are buried."

And by Thursday (17.6.99) afternoon, there were answers. Two bodies had been uncovered at a depth of four feet 24 hours after the forensic team had begun digging. They were within close proximity of each other. They were lying one on top of the other, with a wooden railway sleeper sandwiched between the two. One was facing up, with folded knees. The other was lying to the side.

But that was not all. One of the skeletons had a rag that had been used to blindfold the face, with the knot at the back still intact. There was a hole in the skull of this skeleton. The other's hands were tied. Furthermore, a pair of trousers, underwear and a T-shirt were also unearthed.

On Friday morning, 300 members of the Guardian Association for the Disappeared had gathered outside the Jaffna police station where the skeletons had been brought. The atmosphere was emotionally charged. Women were weeping.

Identification

One by one, they were asked to troop in to identify the items that had been discovered with the skeletons. And this didn't take long. For soon, the, skeletons were identified. They were men who had worked as mechanics at a garage owned by Suppiah Ravi. One of them was 29 years at the time of his death, Rasiah Sathiskumar, from Misalai. The other was 23, Mahendran Babu, from Nallur. They had been arrested by the army at Ariyalai on August 19, 1996.

They were identified by Ravi and Shanthini, the wife of Sathiskumar. What had helped was the trouser and a silver pendant hung on a black rope necklace in the case of Mahendran Babu, and the underwear and T-shirt in the case of Sathiskumar.

So it helps that fathers like Selvarajah still remember what their sons wore when they disappeared. For if they are found in the graveyards of Chemmani, such details will help in answering the painful question that has been haunting them since 1996: What happened to them? Where are they? •

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Questions for the Generals

Marwaan Macan-Markar

Recent revelations at Chemmani confirm that the military division under Weerasooriya's wing were not involved in a 'hearts and minds' operation only. The two skeletons were those of two men who 'disappeared' during his term in the north I wonder what went thought the army commander's mind when he learnt that two skeletons had been unearthed in Chemmani. Did he sleep well on that Friday night knowing they were identified as two men who had been taken into military custody on August 19, 1996, and had 'disappeared' since? Did he spare a thought for the life that Shanthini, the wife of one of those men-Rasiah Sathiskumar-had been leading for more than two years, desperately searching for her missing husband? And what about a thought for the family of the other man, Suppiah Ravi?

Did Lieutenant General Srilal Weeerasooriya pause to reflect on the anguish that had been tormenting them since that fateful day in '96? Since his appointment, last year, as army commander, he has been lavished with praise. We have been informed that he is above corruption. Weerasooriya is so lean, we have been told, that he avoids taking office stationery home for his personal use. And his credentials as a gentleman have been underscored by his humane qualities; by the fact that as a Born-Again Christian and a 'God-fearing man', he displays a level of sensitivity and kindness that is admirable. His sympathizers have also given him full marks for his calibre as a military leader.

Clearly, then, we have been given to believe that he is of special mould. Yet Weerasooriya's march to the top took him through Jaffna. It was under him the troops functioned in 1996, the year the army wrested control of the northern peninsula from the Tamil Tigers. At the time, in an effort to win the sympathies of the Tamil civilians, the government embarked on its 'hearts and minds' operation. And it was Weerasooriya's duty to deliver, to map out a strategy that would draw the civilians into the bosom of the government from the clutches of the Tigers.

However, the recent revelations at Chemmani confirm that the military divisions under Weerasooriya's wing were not involved in a 'hearts and minds' operation only. The two skeletons were those of two men who 'disappeared' during his term in the north. According to available records, those who vanished after being taken into military custody, number 628. The worst month was August, when 190 fathers and sons were plucked away by men in uniform. If Somaratne Rajapakse is to be believed, then another 398 skeletal remains are concealed by the marshes of Chemmani. For it was Rajapakse, along with his military colleagues, who informed the court on the morning of their conviction in Krishanthi Kumaraswamy rape and murder case that 400 civilians who were taken into military custody had been killed and then buried in Chemmani. And the excavations two Thursdays ago lent some credibility to Rajapakse's story. Yes: deaths of civilians that occurred when Weerasooriya was the commander of the peninsula.

So far, the army commander has been silent on the matter. He was so even after Rajapakse made the initial allegations. The ones who have been doing the talking, instead, the ones coming to Weerasooriya's defence, are the assorted spokesmen of the government, including that voice of the foreign ministry, Ravinatha Ariyasinghe. Their line of argument goes thus: what happened in the north was the work of rogue elements in the army, the bad apples in khaki, and it was not the product of state terror. As Ariyasinghe said at a press conference in Jaffna on the morning of the Chemmani excavation, "These kinds of violations are not state sponsored. The members of the police or the army are responsible individually." So it would be unfair, according to such line of thinking, to blame the northern high command for the atrocities of '96, the likes of Weerasooriya and his brigadiers at the time, Janaka Perera and P.A. Karunatilleke. This may very well be true regards some of the events that took place at military checkpoints then. It is quite possible that civilians who were stopped by low-ranking soldiers on duty were arrested, never to be seen again.

The sad events surrounding Krishanthi Kumaraswamy's rape and murder and the murders of her mother, brother and neighbour may reflect such a reality. However, not all who vanished in Jaffna suffered the same fate. Amnesty International's report of November 1997 talks about a "familiar pattern" that prevailed in the area at the time. The most common were 'disappearances' after civilians were taken into military custody following 'round-ups' and 'cordon and search operations.' Here, for example, is one situation: "Cases were reported from Guruganar, Valikamam on 27 August, 1996. On that day, the army rounded up hundreds of civilians and made them queue in front of eight informants at St. James Church, Main Street, Jaffna. At least 10 among them were blindfolded, put in an army truck and driven towards the Gurunagar army camp. Several relatives were witnesses to the arrest and detention but have been unable to trace their whereabouts since."

Consider, for instance, this one: "On 19 July, 1996, at least 39 young men reportedly ' disappeared' after they had been taken away during a cordon and search operation by the army in the region around Navatkuli, Thennamarachchi division. The search commenced at 9 a.m. Yes: There was a pattern, there was a scheme that the soldiers on the ground were adhering to. They were not acting on whim. No wonder 628 'disappeared.' The question is: who gave them the orders?

It is unfair, at this point, to point a finger at Weerasooriya, nor to say that Brigadiers Perera and Karunatilleke gave the license for the lower-ranking men to pursue such destructive mission. And unless a paper trail is established to reveal the one who sanctioned it, or a senior officer confesses out of a sense of guilt, it will be a question that will be added to the long list of unanswered questions since 1983.

But there are other questions for which answers can be got: Was Weerasooriya aware of these developments? When did he learn of them? What did he do? After all, it was happening in areas under his control. And it went against the grain of his intended mission, to pacify the people, to win their 'hearts and minds'. And if he did not know, why? Is it standard policy of the

army to keep the most senior officer in the dark about events on the ground? Do the lieutenants in charge of a platoon, captains in charge of a company, majors in charge of a unit, colonels in charge of a battalion, provide selective information? Didn't he learn from his intelligence wing about the hundreds of fathers, mothers and wives who spent days outside army camps in search of the missing relatives?

Then there is the issue of 'arrest receipts', an innovation introduced by Chandrika Kumaratunga to improve the human rights condition in the country. On November 4, 1994, early into her presidency, the emergency regulations were amended to include a new clause. It stated: "Where any person is taken into custody, it shall be the duty of the arresting officer to issue to the spouse, father, mother or any other close relative, a document specified by the secretary ministry of defence acknowledging the fact of arrest." It added: "Where any person without reasonable cause fails to issue a document acknowledging the fact of arrest or wilfully omits to make such an entry, he shall be guilty of an offence, and upon conviction after trial before a high court, be liable to a term of imprisonment extended to two years and a fine." At the time, human rights activists welcomed the move as an indication of Kumaratunga's commitment to make the state more accountable, a way of preventing the resurgence of state terror. No more, the government reminded the public, can people be taken off the streets as happened during the UNP's regime and 'disappear.' Under the People's Alliance, we were told, the families of those arrested would know where their relatives were - alive in custody. And it is fair to say that in Batticaloa, where this innovation first took effect, a change was immediately felt. That was appropriate given it was from this eastern town that the clamour was initially raised for such a requirement.

Human rights activists felt it was the only way to ensure the armed forces of the state be held accountable for people they took into custody. They had witnessed an abuse of power before the arrest receipts were introduced, during the first two years after the second phase of the Eelam war began. During that period, nearly 4,000 civilians 'disappeared'. It was at tat time that 158 people were taken from a refugee camp at Vantharmoolai by the army, never to be seen again. It was then that 184 people from four villages in the Sathurukondan area were forced out of their homes by the army, never to be seen again.

So when Weerasooriya took control of Jaffna, the need to issue arrest receipts was in the law books. Yet, one only has to talk to the relatives of the 'disappeared' to realise what prevailed. Paramanthan Selvarajah, the president of Jaffna's Guardian Association for the Families of the Disappeared, would tell you so. Sreskeran Pathmini, whose husband was taken away by uniformed soldiers, would tell you so. And likewise would the hundreds of other fathers, mothers and wives of the 'disappeared'.

Arrest receipts were not a common feature. Why was this so? Why didn't Weerasooriya enforce this clause in the law? It could have made a difference, forcing his troops to be more accountable to the civilians they took into custody. This, in fact, happened only after Major General Lionel Balagalle took over as the commanding officer of the 51st division in the peninsula. He introduced several measures to end 'disappearances' in his area. Among them was the issuing of arrest receipts to either a relative or the grama sevaka of the village where the arrest took place.

According to Amnesty International, "The commander also introduced several changes to the model of receipt designed by the ministry of defence. He included details of not only the rank of the arresting officer, but also the name, unit and number. There was general agreement among the population in the peninsula that since the beginning of 1997, at the time the new GOC of the 51 Division had taken over command, a clear improvement in the human rights situation had come about."

The government's spokesmen like Ariyasinghe should give thought to such facts before trying to distance the senior military officers form the culture of 'disappearances.' It may very well have not been a state sanctioned policy of terror, but the conditions were created for the abuse that followed. Clearly, accountability was absent. Power was abused. The mass graves at Chemmani were born.

And if he needs further convincing, let me remind Ariyasinghe of what another convicted soldier in the Kumaraswamy case said before he escaped: "Just as society hires butchers to kill animals for consumption and pays them a living, I too joined the Sri Lankan Army, and was paid for killing when those in command wanted me to kill in cold blood. Now why are you punishing me and humiliating me, while the officers who wanted us to kill are getting their promotions and decorations, and are being lionised as national heroes?"

If the government is serious about its pledge towards transparency, then it should begin by asking why arrest receipts were not issued to all the families whose relatives were arrested. Why the army broke the law? The rogue elements in the army, the bad apples in khaki, could not have functioned otherwise.

Lieutenant General Srilal Weerasooriya will, no doubt, be able to help with the answers. I wonder what the army commander, the God-fearing Christian, will say. Will his conscience prevail? After all, he is an honorable man. •

U.S. LTTE Ban Upheld

A U.S. court has upheld the ban on Liberation Tigers of Tamil Eelam (LTTE) by the Clinton administration on the ground that it is a terrorist organisation.

Rejecting the LTTE appeal against the Secretary of State's order to ban the rebel group, a three-judge panel of the District of Columbia court of appeals upheld the Government decision.

The court gave a similar ruling in the case of the people's Mujahedin, an Iraq-backed organisation of Iran which is fighting to overthrow the current government of Iran and engaging in violence. However, the court let the ban and label of terrorism to stand on the ground that the law gives it no discretion.

The law, it pointed out, gives the authority to the Secretary of State to label any organisation as "terrorist" on the basis of secret information. It does not give a chance to the organisations named to explain. "For all we know," said the judges, "the deisgnation (as terrorist) may be improper because the secretary judgment that the organisation threatens our national security is completely irrational and devoid of any support." Judge A. Raymond Randolph, giving the court's decision, added: "or her (Secretary of State Madeline Albright's) finding about national security may be exactly correct. We are forbidden from saying we cannot make any assumption, one way or the other."

Abolishing the Executive Presidency

Harim Peiris

In the past few days and weeks, several political parties have been clamouring for the abolition of the Executive Presidency. This campaign has been given credence by sections of the media that have given prominence and editorial support for this demand. Given the current debate on the topic this columnist decided to examine some pertinent aspects of the issue.

The basic demand is quite simple, it is to abolish the Executive Presidency. The demand supposedly draws its potency from the fact that the PA both in its election manifesto and subsequently once in office, promised to abolish the all powerful presidency and is now called upon to honour that pledge.

Any examination of the powers of the Executive Presidency begins with the fact that the office of the Executive President was created by the UNP and widely abused by them as well through successive UNP leaders though the more benign leadership of the Wijetunga regime could be attributed to its essentially caretaker role and lack of a popular mandate. It was this calculated abuse of the presidency which prompted the widespread public outcry for the abolition of the office. The biggest abuse was the systematic undermining of Sri Lanka's democratic structures, be it the media, the judiciary, the legislature or the civil service. Also every other organ of government was bypassed through executive power, rather than being reformed. Hence when the powerful executive is suddenly withdrawn it would leave behind a structure incapable of coping with the process of governance in the rapidly changing world we live in, unless alternative structures and constitutional arrangements are put in place.

The UNP having created an office for its own partisan purposes and then abused its power until removed from office, have little credibility in now demanding the abolition of the monster they created and abused. To the credit of the PA it should be conceded that it never abused the office of the president, quite so brazenly as in the heyday of the UNP regime.

The other agitator for the abolition of the office is the JVP, the renewed third force in Sri Lankan politics. But the JVP's demands on constitutional reform spring more from their immediate political considerations rather than any commitment to principle. Notwithstanding their claims to be principled young politicians, the JVP have been past masters in opportunistic politics. They opposed the provincial councils in a bloody manner in 1988/89 and ten years hence take pleasure in claiming that they hold the remote control as they call it, in several provincial councils, with no talk for abolishing them.

No doubt both the UNP and the JVP

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have good reason to not want the Executive Presidency to remain. As parties that make their policies based on their immediate partisan requirements, neither the UNP nor the JVP would be fancying their chances in a head to head contest in a presidential election between their leaders and the current incumbent of that office. The JVP realise they will only be making up the numbers in a presidential election, while most people struggle with the concept of the current leader of the UNP as a viable alternative leader with an alternative vision.

While the PA has been widely accused of ineffectiveness and or having not delivered on its promise of peace and prosperity they have also neither been so wicked as to cause widespread popular disaffection with the government. The spontaneous lighting of firecrackers upon the death of the UNP president was an indicator of the depth of popular revulsion against it in the dying stages of the UNP regime.

Nevertheless notwithstanding the opportunism of the UNP's and JVP's demand for the abolition of the executive presidency, it must be conceded that the PA did promise to abolish that office, leaving no opportunity for any future governments to widely abuse it. To her credit the current president has also dispensed with the trapping of royalty and the illusions of grandeur, that was a hallmark of some previous holders of that office.

Most importantly the PA has presented to the country and the Parliament, a new constitution that does abolish the office of the executive president. However in every sense it is a part of the package. The sad truth is that these beneficial and far reaching constitutional changes are short by seventeen votes for the two thirds majority of parliament needed to change the constitution. Now the opposition would counter this by stating that it has offered its votes to abolish the presidency and not for devolution.

That position itself should be enough to prompt ethnic minorities to vote for the incumbent president rather an opponent of devolution. The UNP's commitment to devolution is restricted to words, they neither did it while in office nor support it in opposition.

The constitution of a country is too precious to be tinkered about for transient partisan purposes. The PA promise to abolish the presidency was in the context of all other constitutional changes they promised to make. That promise has been kept to the extent of their individual capability. That is, the proposals have been made and draft legislation presented in parliament. Instead of protesting about it let the UNP provide an open vote according to conscience on the new constitution, including devolution and the abolishing of the presidency. Let those clamouring for constitutional change, support that process in parliament, to display their genuine commitment to a limited executive instead of empty rhetoric of an opportunistic nature. •

The Boring Peace Process?

Izeth Hussain

Some recent developments suggest that at long last the peace process might really get going. But how many will take it seriously? Not many, surely. For most, those recent developments will be non-news, something that should not be taken too seriously be serious-minded people. Why indeed should they, when there is not the slightest reason to believe that the three main protagonists in our ethnic tragedy, namely the LTTE, the UNP, and the PA Government, themselves take the peace process seriously?

That disillusioned view is quite understandable considering all the obstacles that the peace process has been going through for interminable years and years and years. Some time ago the Economist (London) referred to Sri Lanka's "boring little war". Can our people be blame if they now find our peace process also boring?

However that disillusioned view is a mistaken one. It is based on a simplistic notion of what is involved in a peace process. It is not a process in which the contending parties get together, hammer out an agreement, which in the next stage gets implemented, after which peace prevails. It is a process, and as that word implies peace is not something that gets accomplished once and for all by fiat. Rather, it is a process in which there are sudden changes of direction and reversals, collapse and abandonment of the process, after which it may be resumed.

We have seen all that happening in the cases of the Palestine problem, the Chakma rebellion in Bangladesh, the Moro rebellion in the Philippines, the West Irian rebellion, the Southern Sudan rebellion, the Chechen rebellion, the Kurdistan rebellions in the plural, and so on. And we can now see the peripeteies over the Northern Irish rebellion. In Sri Lanka we have to pay the price for provoking an ethnic minority into becoming fighting mad, which was done through the State terrorism of the 1977 UNP Government. We have to pay the price for the folly of getting involved in a protracted war. The price includes a protracted peace process.

It is in that context, that is of a protracted peace process, that we must take certain recent developments seriously, and not in the expectation of a solution within months or before the next round of elections.

One development is that of Anton Balasingham going to London, not just for medical treatment but reportedly to re-activate the peace process. In that connection, it is reported further, he will be proceeding to South Africa to try to secure a South African role as facilitator, with the help of a Minister and a Deputy Minister both of South Indian origin. Mandela himself might be willing to assume a role, it is said.

Now all this may be just the same dreary old story as before. The LTTE finds the going tough on the military front, it wants a respite of some months or more which should be possible through bogus peace negotiations, it recoups, and attacks again. It has happened before, and can happen again. But bringing in South Africa as facilitator introduces a novel dimension. South Africa being used for a sordid LTTE purpose will certainly be resented, and could provoke the denunciation of Mandela who has immense moral authority in the world. The LTTE

could perhaps be serious this time.

We might give some importance also to the fact that Balasingham is operating from London. He cannot be forbidden residence there because he is a British citizen, nor can he be arrested unless there is evidence directly linking him to terrorist activity. All that is on a technical level. The important point is that the British authorities can clamp down on Balasingham and LTTE activity in Britain in various ways should they wish to do so. The latitude allowed to him could conceivably mean that the effort to re-activate the peace process has British blessings behind it.

That could be very important, should the surmise turn to be correct. The LTTE cannot have anything like its present efficacy if not for its hinterland. It consists partly of South India, which diminished considerably after the Rajiv Gandhi assassination but is still there. It consists to a greater extent in the form of the Tamil Diaspora in the West. This is tantamount to saying that the Western Governments have the capacity to exert very considerable pressure on the LTTE. They can pressure the LTTE to seriously engage in the peace process should they think the present time to be propitious for it.

The present time does indeed seem to be propitious for new initiatives towards peace. Here we come to the second development favourable to the peace process. It arises from the recently concluded Southern PC elections. It was already apparent from the earlier round of five PA elections that the PA's devolution proposals did not preclude it being the leading party. However, those proposals were hardly an issue at those elections.

This time the Government wisely changed its strategy. According to the Sunday Observer editorial of June 6 the President made it a point to emphasise the need for a peaceful resolution of the ethnic conflict on the basis of devolution of power to the provinces. Therefore, the editorial argued, the results would allow us to gauge the extent to which the devolution proposals are acceptable to the people. The results, as we now know, showed the PA to be way ahead of any other Party, and it seems reasonable to infer that those proposals are broadly acceptable to the people.

Another significant development took place some weeks earlier when the Mahanayake Thera of the Asigriya Chapter said that the war must be brought to an end and peace restored, even with the assistance of a third party. This has been taken to mean that the realisation has been spreading, even among the upper ranks of the Buddhist hierarchy, that there can be no military solution to the ethnic conflict. The kind of significance that the Mahanayake's statement has is suggested by the fact that the Sinhala language press, both private and state-owned, gave little prominence to it. That press is widely regarded as being shockingly chauvinist.

There have been other significant developments over the last few months and weeks. There is the businessmen's initiative to establish common ground between our two major parties on the ethnic problem. Probably a futile exercise, but significant nonetheless because our businessmen can be expected to have a particularly sound understanding of the fact that an interminable protracted war will spell disaster for the economy. The growth rate declined to 4.7% last year, and is expected to decline further this year to 4%. These figures are certainly impressive considering that we are spending one third of our revenue on the war, as reportedly stated recently by G. L. Peiris. The problem is that protracted economic decline in forthcoming years because of the protracted war will certainly turn out to be vastly impressive. Then there was that inter-religious group which met LTTE representatives in the North and returned with the pleasant news that the LTTE was favourable to re-activating the peace process. They met the President, and went North again. But the LTTE would not meet them.

The disillusioning experience of our religious dignitaries returns us to the note of disillusionment struck at the beginning of this article. It was actually a realistic note because we argued that recent developments can be taken seriously as favourable to the peace process only if we eschew native expectations about quick solutions and acknowledge that the peace process must necessarily be complicated and protracted.

That may be realistic, but a totally realistic approach requires an answer to the question raised earlier. Why should we take the peace process seriously when there is nothing to indicate that the main protagonists in our ethnic tragedy, the LTTE, the UNP, and the PA government, themselves take it seriously?

The answer is that if the resolution of the ethnic problem is to be left entirely in their hands, then there is no alternative to our refusing to take the peace process seriously. But the problem should not be left entirely in their hands. This means that we must force them to take the peace process seriously.

There seems to be a need for our peace lobby to work out new strategies. Up to now the strategy has been, broadly speaking, to make appeals to the three main protagonists to come together in a genuine peace process, the assumption being that only the chauvinists, presently incarnated in an extreme form in the National Movement Against Terrorism, are inveterately against the peace process. But the unpleasant truth is that for quite some time it has been very difficult to believe that the LTTE, the UNP, and the PA Government, have really wanted peace. The difference between them and the NMAT has been one of degree only.

In this situation it should be readily understandable that the strategy of making appeals has proved to be thoroughly futile, and has made some of our peace lobbyists look naive or, even worse, hypocritical. The logic of the situation clamours for a critical attitude towards the three main protagonists, and not only towards the chauvinists.

It is difficult to believe that the LTTE has ever been favourable to a peaceful resolution of the problem. At least that position is logically, and morally, consistent with its demand for nothing less than Eelam or a confederation. Neither can be realised through negotiations. As for the UNP, its behaviours over the ethnic problem has been unrelentingly silly and irresponsible. For instance, it wants the government to negotiate with the LTTE but it has refused, on the most specious grounds, to work out a consensual position which can serve as the basis for meaningful negotiations.

The PA Government began well, but obviously lost direction after coming to nurse illusions about a military solution. That at any rate has been the impression given to many people, and the further impressions has been given that the Government lacks any serious moral commitment to solve the problem peacefully. And that perhaps is the core of the problem. De Gaulle took all the risks, including nearly successful assassination and coup attempts, to solve the Algerian problem because he, and the people backing him, had a serious moral commitment to do so, arising out of a burning love of France.

Moral commitments and burning love ill assort with the paltry politics of Sri Lanka. ●

Kargil : A view from Pakistan
Implications of the July 4 deal

Dr Rifaat Hussain

The joint statement issued after Prime Minister Nawaz Sharif's July 4 rendezvous with President Clinton in Washington has evoked a sharp domestic reaction. Its call for "concrete steps" aimed at "the restoration of the Line of Control (LoC) in accordance with the Simla Agreement" and its promise that Mr Clinton "would take a personal interest" in getting the India-Pakistan bilateral dialogue under way after "the sanctity of the LoC has been fully restored" have been widely seen as hasty and unwise diplomatic blinking by Islamabad in its eyeball-to-eyeball military confrontation with New Delhi over Kargil.

Almost all political opponents of the government have characterised the Washington agreement as betrayal of the Kashmir cause by Islamabad. The Jamaat-e-Islami has termed the joint statement as "total surrender and complete sell-out of Kashmir". Former ISI head Lt Gen (retd) Hameed Gul also described this as a "total sell-out" as it was tantamount to Pakistan accepting "what India wanted us to accept." Tehrik-e-Insaaf chief Imran Khan has castigated the statement as a "sell-out of the struggle of the mujahideen" whose sole "purpose was to save the government" which had traded "mujahideen's blood and earnest sacrifices for political gains".

The Washington declaration has also been categorically rejected by leading Kashmiri mujahideen groups. Addressing a news conference in Islamabad on July 8, Sayed Salahuddin, head of the United Jehad Council, said that President Clinton and Nawaz Sharif's call for the "freedom fighters' withdrawal from the northern Kargil-Dras mountains was a stab in the back" and vowed that the militants would fight on "until the last drop of the their blood".

For its part, the government has portrayed the Washington agreement as a great "diplomatic victory" which, besides averting the risk of war between India and Pakistan, has helped internationalise the Kashmir dispute through American intercession and also paved the way for future US mediation in the conflict. Notwithstanding these claims, there is little gainsaying the fact that the Washington declaration, both in terms of what it says and what it does not say, has grave implications for the future course of Pakistan's Kashmir policy. Its immediate ramifications for the ongoing conflict in Kargil are simply disastrous. And this is so for several reasons.

First of all, by committing Islamabad to take "concrete steps" to restore the LoC, the Washington agreement lends great credence to the Indian charge that the conflict in Kargil was initiated by Pakistan through armed infiltration from across the border in explicit violation of the Simla Agreement. As a corollary, it severely undermines the credibility of the declared Pakistani stance that the events in Kargil were an extension of the larger Kashmiri struggle for freedom.

Second, by linking the resumption of India-Pakistan bilateral dialogue to full restoration of the sanctity of the LoC, the agreement commits Islamabad to comply with New Delhi's demand that stalled India-Pakistan parleys would commence only after Kargil hills have been completely vacated and status quo ante fully restored.

Third, the Washington agreement is totally devoid of any firm American commitment to help resolve the Kashmir dispute. In fact, it tempers the elusive promise of "personal interest" by President Clinton (and by implication that of any future American president) in Indo-Pakistani affairs by asserting that the "bilateral dialogue begun in Lahore last February provides the best forum for resolving all issues dividing India and Pakistan, including Kashmir".

All in all, the Washington declaration while committing Islamabad to defuse the crisis in Kargil unilaterally, and for all practical purposes on Indian terms, contains nothing mollifying for the suffering Kashmiris. The joint statement is also deeply flawed for its silences and omissions. Conspicuously absent from its contents are standard clauses and references which Pakistan had always employed as means to safeguard its declaratory position that Kashmir is an internationally recognised dispute awaiting final settlement. The Washington agreement makes no reference to the longstanding UN obligations and involvement in the Kashmir dispute nor does it articulate the Pakistani position that the LoC is only a temporary line of division and not a de facto international boundary.

It is indeed a stunning semantic blunder by Islamabad to let the Washington agreement describe LoC as having "sanctity" since such a characterisation is fraught with the devastating implication that Indian occupation of Kashmir is incontestable and the Kashmiris and the world at large should learn to live with it.

It is worth recalling that on many occasions in the past and in circumstances far more daunting than the situation prevailing in Kargil, Islamabad pursued its Kashmir diplomacy with grit, acumen and foresight. In May 1963, when following the failure of the sixth rounds of Bhutto-Swaran Singh talks, Washington floated the proposal for third party mediation in Kashmir, Islamabad, according to recently declassified US documents, spelled out following four safeguards: (a) Time limit for mediation process; (b) "freeze" on long-term military aid to India during mediation; (c) terms of reference which would focus mediation solely on Kashmir; and (d) mediation to be in general context of UNCIP resolutions.

When told by American ambassador Walter McCnaughy that these safeguards "posed real problems" with New Delhi, Foreign Minister Z A Bhutto replied that "he recognised this" but maintained that mediation had "utility" only in the context of these safeguards.

Similarly, in January 1963 when, at the end of the second round of ministerial level talks in New Delhi, Pakistan signed a confidential joint statement of objectives with India aimed at "examining proposals for honourable, equitable and final boundary settlement" in Kashmir "without prejudice to basic position of parties". Pakistan resorted to the same strategy of inserting safeguards for its stated position on Kashmir when it signed the Tashkent Declaration with India through Soviet

mediation in January 1966 and the India-Pakistan bilateral agreement at Simla in July 1972.

The much maligned Tashkent Declaration not only committed both parties to conduct their bilateral relations "in accordance with the UN Charter" but also explicitly stated that "Jammu and Kashmir was discussed (by them) and each of the two sides set forth its respective position." The Simla Agreement of July 1972, which Pakistan had to sign after the humiliation of defeat and its dismemberment following the 1971 war, clearly recognised that Pakistan's observance of the LoC resulting from the ceasefire of December 17, 1971 was without prejudice to its recognised position on Kashmir.

Clause (ii) of article IV of the Simla Agreement says: "In Jammu and Kashmir, the Line of Control resulting from the ceasefire of December 17, 1971, shall be respected by both sides without prejudice to the recognised position of either side." By baptizing LoC in Kashmir as something sacred, and therefore inviolable, the Washington agreement has egregiously undermined Pakistan's long-held position that it has the moral right to help the Kashmiri people win their freedom.

It could be argued, and indeed has been argued by some, that by declaring the LoC sacred, the Washington agreement has virtually pre-empted India from violating it with impunity. The problem with this line of reasoning is that it expects New Delhi to abide by the terms of an agreement to which India is not a party. This is an untenable position in the eyes of international law, especially in view of the Indian declaratory stance that the whole of the state of Jammu and Kashmir is an integral part of India. As for the argument that the agreement has saved peace in South Asia by averting India-Pakistan war, it is sufficient to point out that this so-called peace has come about as a loss of will on the part of Pakistan to stand its ground in Kargil.

Pakistan's inability to take a few blisters in getting the suffering Kashmiris their rightful place under the sun lies at the heart of the meltdown in Kargil. Peace, as Mao once remarked, flows from the barrel of the gun. By forcing the mujahideen to silence their guns in Kargil, the Washington agreement has done nothing except making the quest for peace ever more elusive.●

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Politics of the DMK as the Prodigal Son Returns

Ramesh Gopalakrishnan

Vaiyapuri Gopalasamy is an honourable son of the Rising Sun, the DMK's long-time symbol, as he amply demonstrated recently, by returning to his political Guru and chief minister Muthuvel Karunanidhi. Gone was all the uncouth rancour and bitter acrimony which had developed between the Guru and his Sishya ever since the latter raised his banner of revolt seven autumns ago, resulting in his expulsion from the Dravida Munnetra Kazhagam and his founding of a Renaissance, or Marumalarchi, version of the Kazhagam. Gopalasamy, then, Karunanidhi let it be known to the world, had been a threat to his life, according to the information received by him from the Indian central intelligence agencies. According to the information, the LTTE wanted to bump off Mu Ka to ensure that his disciple-rebel Vai-Ko could take over the DMK leadership, thereby paving the way for unstinted support for the LTTE.

The facts jelled with this "information": Gopalasamy, had travelled, in 1990, by boat to Vavuniya and Jaffna to meet the LTTE leaders; his brother Vai Ravichandran had given refuge to some injured LTTE militants and this alone went against him in the police probe into the assassination of EPRLF leader Padmanabha (It was another matter that Ravi was ultimately acquitted). Yes, Gopalasamy, Karunanidhi meant, was a dangerous supporter of terrorists or militants and ought to be shunned, the logic went thus! However, there were another set of facts. Gopalasamy was slowly challenging Karunanidhi's sons - Stalin and Alagiri - by building up a set of loyalists within the party. Ever since he got close to former prime minister V P Singh, Gopalasamy used his post as a Rajya Sabha member to develop excellent contacts in Delhi, and DMK ideologue and Karunanidhi's nephew Murasoli Maran, saw in him a dangerous rival. And the Guru, Karunanidhi, had no option but to take on his Sishya in order to save the strangleholds of sons and his nephew.

The war of words between the two then lit up the political landscape of Tamil Nadu: Gopalasamy was Krishna and Karunanidhi, his uncle, the scheming Kamsa; Vaiko was David the little conqueror and Karunanidhi, Goliath; he was Vibeeshana and Karunanidhi, the evil Ravana, refusing to relent! Karunanidhi saw himself as the ageing Bhishma, fighting on the side of Kauravas Stalin and Azhagiri, while Gopalasamy felt he was Arjuna, ready to vanquish his dear mentor.

When Gopalasamy broke off to found the Marumalarchi DMK, he took away eight district secretaries and several ideologues. After a running battle of words, he put Karunanidhi on the defensive, when he campaigned, along with the CPI(M), against the DMK in subsequent elections. His main charge had been that Karunanidhi was getting closer to the Congress(I) in his bid to oppose the then AIADMK government of J Jayalalitha. Karunanidhi had no answer to this charge and he ultimately needed the help of Congress leader G K Moopanar who broke away from the parent party in a timely manner, to defeat the AIADMK. Gopalasamy was left high and dry without even an assembly seat, and, in a new avatar, changed his name to Vai-Ko via a gazette notification.

Vaiko's supporters consisted of two types: youth with a genuine desire to revive the Dravidian ideology and those leaders who could not be accommodated within the DMK due to faction-fighting and reasons of casteism. Also, Vaiko managed to raise questions about the then fledgling Sun TV, started by Kalanidhi Maran, Karunanidhi's grand-nephew and party ideologue Murasoli Maran's son.

Slowly, Vaiko's soldiers became battle-weary and Vaiko was left with no option but to look for fresh allies. He quickly dumped the CPI(M), which had started moving closer to the DMK as both were constituents of the then ruling United Front. And Vaiko thus

found Jayalalitha, his steel-hearted sister. As an orator who can last the whole night, Vaiko managed the word barrage show for months on, defending Jayalalitha against Karunanidhi's cases. Imagine, it was Vaiko who had first demanded the impounding of Jayalalitha's ill-gotten wealth and Karunanidhi had to accede to it!

Vaiko went from strength to strength and was instrumental in recommending, to Jayalalitha, a deal with the BJP. It was Jayalalitha who apportioned the seats to her allies including the BJP and Vaiko's party in the 1998 elections. Vaiko himself fared well, winning from Sivakasi, but only two of his four other candidates managed to win. Vaiko, predictably, kept out of the government at Delhi, but, when he wanted to join it, Jayalalitha was already pulling it down!

Vaiko's natural animosity towards the Congress ensured that he would stick on with the BJP-led government even as Jayalalitha parted ways with it. But, Vaiko found the DMK voting for the BJP-led government at Delhi. The DMK and Marumalarchi DMK came together, and Maran and Vaiko stood beside each other near Vajpayee at the entrance of the presidential quarters. Yes, they had come together. However, more rituals were yet to be completed. Vaiko visited Karunanidhi at the latter's Gopalapuram residence. And Karunanidhi returned the visit by stopping over at Vaiko's ancestral home at Kalingapatti near Sankarankoil for an evening tea.

What does Vaiko gain in credibility, or otherwise, by going in for such off-the-cuff alliances and volte faces ? It is difficult to say, but it is clear that Vaiko is playing to a plan of emerging as the legitimate Dravidian leader of Tamil Nadu. His caste base is that of the Nayudus of southern districts. Vaiko's father himself was a well-known Congressman.

Vaiko broke away from the family tradition and supported the DMK during the anti-Hindi agitation in 1965. He has always made a big issue out of his credibility, but it was, or still is, nowhere in sight when he decides to align with the DMK or the AIADMK.

Vaiko recently got Union finance minister Yashwant Sinha to release his American Memoirs and other oratorical ventures as books. He always has had to portray himself as a part of the thinking Dravidian intelligentsia, from which the likes of Alagiri and Stalin are already excluded! Vaiko, thus, obviously has larger ambitions and hidden agendas and has been playing safe for a while now. However, he has to contend with Karunanidhi's manipulative skills and guard against his partymen returning to the DMK fold. His latest bold venture is to invite Karunanidhi himself to address the forthcomming MDMK conference at Kanchipuram, the birthplace of Drav-idian elder brother Annadurai! Stalin is certain to resent the latest proximity between his father and Guru, Karunanidhi, and his Sishya, Vaiko, but that is not likely to alter the new-found affection between the two.

He, also, has higher stakes than Karunanidhi in favouring the LTTE in the Sri Lankan imbroglio, and perhaps, is biding his time to ensure that a BJP-led government could decide to help the LTTE. Also, Vaiko's party, the MDMK, has a support base spread all over Tamil Nadu, and is stronger in some pockets of the southern and western districts. In the Naidus, Naickers and Gounders, it has three distinct pressure groups exerting influence on it. Vaiko, who hails from the Naicker community, has the unenviable task of attracting other sections like the Dalits towards his party - something which is not happening for the time being. Also, Vaiko's proximity to the BJP has kept the minorities away from his party.

More immediate are the DMK's problems with the minorities: the party, in 1996-97, has been accused of tacitly encouraging Al-Umma, the shadowy terrorist organisation, in a bid to upstage the militant and fundamentalist Tamil Nadu Muslim Munnetra Kazhagam (TMMK). The Al-Umma's direct involvement in the February 14, 1998, serial blasts at Coimbatore changed the DMK's outlook towards all Muslim outfits. Al-Umma suspects in prisons were subjected to brutal repression, as has been found out by various human rights organisations, and other relatively quiet Muslim outfits have also not been spared. While Karunanidhi has been justifying the harsh measures as necessary for good governance, the Muslim outfits have charged the DMK regime with resorting to tough tactics against them to please the BJP-led government at the centre. The TMMK recently did a volte face and resolved to support the AIADMK-led front in order to defeat the DMK-BJP combine.

The TMMK, in the process, has emerged as the strongest of the Islamic fundamentalist outfits in Tamil Nadu and has been able to influence mainstream Muslim parties like the Indian Union Muslim League and the Indian National League. Both these parties have taken a stand against the DMK-BJP front. The Indian National League, led by Abdul Latheef, has broken away from the DMK-led front. The Indian Union Muslim League, whose late leader Abdus Samad had tried hard to wangle compartmentalised reservations for Muslims from Karunanidhi, has now decided to oppose the DMK-BJP front.

The Muslims constitute about 8 to 9 per cent of the voters in Tamil Nadu, and the Christians, about 3 per cent. Both these communities are expected to vote largely in favour of Sonia Gandhi's Congress. This way, the DMK is certain to lose a bit of its traditional vote base for a long time to come. The party, it seems, is trying to woo the forward communities and the Nadars, who have a strong presence in southern districts of Tamil Nadu. However, the Nadars are equally divided in all parties. And the forward communities, who have migrated from the Congress to the BJP, may not like to support the DMK beyond a point. Looking this way, the DMK certainly seems set to lose its traditional allies - the minorities - for quite some time to come. Also, the chance of the BJP going in for a process of brainwashing DMK cadres towards its ideology is likely to commence soon.

The unchallenged leader of Tamil Muslims - Quaid-e-Milleth Mohammed Ismail - was a traditionalist in outlook, but a liberal at heart. He had spurned the then Muslim League's offer of a separate Pakistan and, as a member of the Constituent Assembly, had opined that Tamil be made the national language of the Indian Union! Such was his commitment to this land. However, the Al-Umma had broken away from this heritage. And, if one recalls that the Quaid-e-Milleth said to Karunanidhi in his dying bed that he was leaving the fate of the Tamil Muslims at the DMK's hands, it is easy to realise that Karunanidhi has compromised on this score by aligning with the BJP. ●

CASTE POLITICS IN TAMIL NADU

T.N.Gopalan

Never before the question of has caste has come to play such a vital role in the public sphere in Tamil Nadu. Inevitably the polarisation (fragmentation, to put it more appropriately) seems to be having a telling impact on the state during the run-up to the Lok Sabha polls, what with the political parties vying with each other to cultivate the various caste associations.

That the likes of Karunanidhi and Jayalalitha should entertain an array of these self-proclaimed caste leaders in the full glare of the media and seek to make out that those castes are rallying behind them do seem to mark a turning point in the state politics. And the poll verdict to follow would show whether the caste factor has indeed become that overwhelmingly important as is projected now or it is merely a chimera pursued by greedy politicians who are not sure of their own support base.

That caste is the unique contribution of Hinduism to civilisation is a truism, not meriting any serious discussion. Though the Shia-Sunni conflicts or the Catholic-Protestant clashes illustrate the signal failure of other religious philosophies too to keep their faithful together, the Hindu castes are so numerous and so fractious that they present a major hurdle to any attempt to unify the social order in India. How an essentially western concept like democracy, grafted on to the polity, has thus far survived the churnings in the Hindu hierarchy is itself mystifying.

Whether it is the conservative North which has not seen any serious challenges to the Brahminical social order for centuries now and the iniquities are still perpetrated with impunity by the upper castes or the South which has been shaken repeatedly by rebellions led by the lower castes in various forms, the caste has remained a forbidding reality in the public sphere.

Even if the caste dimension is confined to the people's private lives, like marriage or worship, it would of course be a serious source of friction, but perhaps could be kept at a leash, mjaor explosions averted by making some adjustments here and there.

If the Brahminical order had dominated the Indian society for centuries without any major disruption, that could be largely attributed to the fact that the lower castes accpeted their lot mutely.

Also important to note is the fact that the public sphere was very limited in scope then, and if the upper were hogging it all, so be it.

Friction comes about only when the oppressed begin to realise that they too could have a say in the way their lives are governed.

And so thanks to the colonial rule, western education and finally the introduction of democracy, every segment of the society started asserting its own rights.

Consequently the mainstream political parties which needed the votes of as many voters as possible in order to come to power pretended to speak up for an egalitarian order and wooed the lower castes with all kinds of promises even while essentially serving the interests of the entrenched upper castes.

Only subsequent to V.P.Singh's attempt in 1990 to institutionalise affirmative discrimination through reservation in government jobs and in educational institutions did the North see the resurgence of the lower castes to a significant extent. The lower castes, the upper and the Dalits, outside the pale of the caste system, are all now locked in a bitter battle for social and political dominance. No more do the oppressed have to change religions to breathe some fresh air.

Interestingly even the Muslims who are essentially the descendants of the lower caste and untouchable converts, realising that conversion is no sure recipe for upward mobility, have sought to join hands with the lower caste organisations or parties which claim to represent their interests and carry on the struggle for their own share of the pie.

But a large part of the South is supposed to stand on a different footing altogether. The empowerment of the backward castes had started in the twenties of this century. If it was the self-respect movement of Periyar EVR in Tamil Nadu, it was Narayana Guru in Kerala and the Communist revolt in Andhra Pradesh which had sought to smash the stranglehold of the upper castes with varying degrees of success. (Karnataka might have remained relatively immune to this phenomenon for long, but even there, at least by the seventies, the backward castes started asserting their place in the scheme of things vigorously.) But it was Periyar's Dravidian Movement which sought to project itself as a comprehensive repudiation of everything Brahminical and indeed seemed to have succeeded in rallying behind it almost all the non-Brahmins, though the Dalits themselves remained suspicious of it, led as it had been by their immediate antagonists, the upper and intermediate non-Brahmin castes.

The apparent pan-Non-Brahmin unity which led to the rise of the DMK is in tatters. Since the stunning victory of the DMK in the 1967 Assembly polls, the stated has been under the almost uninterrupted rule of the two Dravidian parties, the DMK and the AIADMK, for over three decades.

This "achievement" and the near decimation of the Congress, have been touted as the logical culmination of the efforts of Periyar EVR.

Never mind the DMK-AIADMK schism. The enemy, the Brahmins have been vanquished. The Congress which promoted the interests of the Brahmins and the feudal lords is finished. Never mind also the Dalits are still facing "some minor problems" here and there. The liberation is at hand. The non-Brahmin consolidation is almost complete. Thus spake the apologists of the Dravidian movement.

They have all retreated into a deafening silence following some recent developments in the state, and that is just not because of the problems of the Dalits alone. As mentioned earlier, caste associations are mushrooming, each of them claiming to champion the cause of its own community, at times adopting very menacing tones. Almost every major caste, major perhaps mean-

ing with a thirty to forty per cent population in some given area, has begun to assert its place under the sun and more and stridently demand some special concessions for itself, devil take the rest.

The Vanniars found predominantly in the northern districts, with some significant presence in the central and western regions, are an interesting case in point. They are indeed a very backward caste who woke up to the advantage in their numbers pretty early in the day. In the very first elections held after the Independence, a party known as the Common Weal, swept the polls in the northern belt. That subsequently the party folded up thanks to the machinations of Rajaji is a different story altogether. (In fact the Congress, despite the halo of the freedom fighters behind it, failed to muster a majority on its own, what with the Communists on the one side and the Common Weal on the other giving it an unexpected drubbing. After Andhra Pradesh was carved out of the Madras Presidency, apart from some tenancy reform measures, the Communists too found themselves marginalised. The moral of the story being that social tensions had had their own impact on the electoral politics at that time itself, though the Tamil nationalist rhetoric did succeed in papering over the cracks for a time thereafter.)

The violent agitations conducted by the Vanniar Sangham under the leadership of Dr.Ramadas in the eighties, demanding what else but reservation, announced the arrival yet again of the Vanniars in the political arena. Their poll boycott moves only invited the wrath of the governments of the day, and finally when they contested under the banner of the Pattali Makkal Katchi they took everyone by surprise by their strong showing in several Lok Sabha constituencies in 1991. They have not looked back since though in 1996 they took a severe beating when they fought alone.

Ramadas then declared unequivocally, "We will never again fight on our own. We know our strengths and our weaknesses, we'll hereafter align with either of the two major Dravidian parties." He has switched from extreme Tamil nationalist, anti-Brahmin and anti-North rhetoric to a patriotic, pan-Indian discourse without any qualms. He has not been able to get the much-vaunted exclusive 20 per cent reservation for the Vanniars, nor any specific developmental project targeting them, but they seem to matter little. If between him and the PMK man in the union cabinet, Dalit Ezhilmalai, (though a Dalit, this latter has little following among his own community and is seen to be doing the bidding of his Vanniar master who likes to project Ezhilmalai as a symbol of his concern for the Vanniar-Dalit unity), they could distribute favours, the Vanniar masses seem to be satisfied.

Their counterparts, in the south, the militant Thevars, are yet to fashion a vehicle of their own. Though they did take refuge in large numbers in the Forward Bloc, founded by Netaji Subhash Chandra Bose, that party fought shy of any overtly casteist approach. It was thanks to Sasikala's patronage that the

Thevars and their kindred castes, Kallars and Agambudiyars, gained extraordinary political importance, disproportionate in fact to their numbers, in the polity - inevitably the Dalits, the Pallars, especially, coming to suffer under the Thevar heels. Interestingly both the Vanniars and the Thevars once formed the backbone of the DMK, but Karunanidhi finds those castes deserting him in droves.

At least in the North, the DMK is still believed to enjoy a strong following and some sections of Vanniars stil remaining loyal to it, but the Thevars have turned almost totally hostile to it.

Such is the abjectness of his situation that Karunanidhi recently had a well-publicised meeting with Shanmugiah Pandian, a very young, violent, rabble-rousing Thevar leader, and the latter has now promised to work for the defeat of the AIADMK. It was this Pandian who was largely responsible for the caste riots in the Ramanathapuram region last year. At that time he was believed to have been acting at the instance of Jayalalitha, Karunanidhi himself said so on record. But most Thevar organisations have remained with the AIADMK.

The Dalits themselves have never been able to put up a united front. The Pallars, Pariars and the Arundhadhiyars, the three major segments in the community, have found it difficult to come together even on the major issues confronting them all, such is the intensity of the tensions among them. When the militant Pallars fight it out with the Thevars, the other two generally turn a Nelson's eye, occasionally they join the Pallar-bashing themselves. The Pallars, now led by Dr.K.Krishnaswamy, have banded together under the Pudhiya Thamizhakam banner and registered some significant successes in the last elections. Though the party desperately seeks to take wings and become the acknowledged representatives of the entire Dalit community, the other two sects would still not trust them.

Jayalalitha has succeeded in wooing the Pariar community to her side. Various Pariar leaders have been calling on her and pledging their support, saying that the Karunanidhi government has treated them very nastily. It may be recalled here again that the Pallars suffered heavily at the hands of the Thevars during the Jayalalitha regime, and the Pudhiya Thamizhakam was born of this churning. In the circumstances is it any surprise the Pariars find it easier to cosy up to the Poes Garden lady even while persistently fending off the overtures of the Pudhiya Thamizhakam?

While the Pallars are confined to the southern region, the Pariars could be found in large numbers in the north with some significant presence elsewhere too. Though they have been able to take advantage of the English education and the intellectual leadership of the Dalit movements has always come from them thus far, they have not succeeded in cashing in on their numerical strength, their leaders only selling their vote-banks to the highest bidders election after election. They are hoping to change the trend this time. They will have seats for themselves,extract some concessions for their community and make the AIADMK and other political parties acknowledge their special problems. No more piggy-back rides for others, they say.

Though there is not much of a love lost between them and Jayalalitha, they assert that they have no where to go but to jump into her bandwagon in order to teach a lesson to Karunanidhi who has been harassing them in order to placate the Vanniar lobby. (The Arundhadhiyars, essentially cobblers, found largely in the western belt, are a very supine lot, and they can not hope to make much of a political impact. So are the Adhi Andhras, the scavenging community, whose mother tongue is Telugu and whom the various Dalit organisations rarely care to mobilise.)

The Telugu-speaking Reddiyars and Naickers, a flourishing landlord community, found in the north and the south, have now floated the Dravida Telungars Party and they claim they are the deciding factor in at least ten Lok Sabha constituencies. They are yet to declare their support for either the DMK or the AIADMK, though the chances are they too might support Jayalalitha.

After the fall of the Vajpayee regime when Sonia was still licking her wounds and was unable to make up her mind on joining hands with the AIADMK, Jayalalitha, a very clever politician she is, wooed all kinds of caste leaders. Those who would never have been allowed anywhere near her convoy were granted audience with alacrity and, excited, they promised their support to her.

Ironically, the Nadars are perhaps the only major community who could be trusted to vote for the DMK this time. Last year they had turned against the DMK-TMC combine in the wake of the Tamil Nadu Mercantile Bank affair. Managed essentially by a few Nadar clans, it seemed to have slipped out of their hands when a non-resident Indian, Sivasankaran, a non-Nadar close to Murasoli Maran, bought up a large number of shares of the bank. The Nadar leaders made a hue and cry, but the DMK government remained haughtily indifferent, and the party bit the dust in the last elections.

Now, through some dubious manoeuvres, the management is sought to be restored to the Nadar clans and some pact has been arrived at, interestingly arch-BJP-ites like auditor S.Gurumurthy and journalist Cho.S.Ramaswamy oversaw the signing of the deal. Whether it would really materialise and whether the Nadars would be able to mobilise the money required to pay off Sivasankaran are different questions altogether. The point is the Nadars seem to have been won over with the promise that they are on their way to regaining their control over the bank.

Last, but not the least, the Muslims seem to have cast their lot with Jayalalitha, in protest against the recurrent crack-down on them by the Karunanidhi regime after the Coimbatore blasts. The government has also failed to render any significant relief to the victims ofthe anti-Muslim riots of 1997. Nor any of the culprits responsible for the attacks on them at the time have been prosecuted.

What would happen now? Will the "rain-bow coalition" that Jayalalitha seems to have managed to cobble up would romp home or the DMK-BJP combine would still emerge successful thanks to the Vanniar support in the south and the traditional support of the other intermediate castes elsewhere? How do you factor in the individual charisma of the personalities like Vajpayee, Sonia Gandhi and Jayalalitha? It will take a while for answers to come. ●

Mervyn - Pontiff of Lankan Journalism

Ajith Samaranayake

The passing of Mervyn de Silva, the pontiff of Sri Lanka's journalism, was redolent of an epoch. For Mervyn straddled several eras of Sri Lanka's journalistic and political life, moved with several generations and was the most perceptive and witty commentator both of the high points as well as the idiocies of the passing scene. Intellectual journalist, foreign affairs commentator, acerbic columnist and flamboyant clubman he personified the times.

Mervyn came to journalism in the early 1950's when the UNP dominated the political scene. However, his early concerns were literary and artistic as befitting a product of the Ceylon University's English Department. Not that Mervyn ever conformed to the staid and prissy values of the groves of academe. But as a young man he was excited by the literary talents of the west and wrote a series of articles to the 'Observer' on contemporary English writers such as Ernest Hemingway and F. Scott Fitzgerald. I was surprised years later to get a cuttings book of these articles from Richard de Silva then an 'Island' colleague now working in the 'Daily News. Richard who is from Kandy was then boarded in Colombo during the week and he told me that his boarding mistress's late husband had cut and pasted them!

Mervyn was also a fine film critic then. Those were the days when cinema dominated urban middle class life long before television. The images on the screen and the larger-than-life heroes had an ineluctable pull on the imagination. Anton Weerasinghe who retired as Chief Sub Editor of 'The Island' recalls Mervyn standing alone at the old Atlanta club, drink in hand and puffing a cigarette, somewhat in the cast of one of these melancholy film heroes.

In time he graduated to be parliamentary sketch writer of the 'Observer' at a time when no by-lines were given. It was, however, after Prime Minister S. W. R. D. Bandaranaike's MEP Government came into power that Mervyn found his metier as a foreign affairs analyst, his forte till the last. Nimal Karunatilleke, that amazing dynamo who combined politics and journalism with much else whose triumph at Matale heralded the 1956 avalanche, took Mervyn to meet Bandaranaike. The foreign affairs commentary in Radio Ceylon was then still done by an Englishman and Bandaranaike was unhappy about its rightwing slant. Mervyn used to recall Bandaranaike rifling through his bookshelves and giving him a book saying in characteristic language, 'Read this', young man. Thus was launched a career which made Mervyn roam the capitals of the world meeting political chieftains, generalissimos, freedom fighters and eggheads including George Habash, the notorious terrorist of western demonology. That interview with another with Mahattaya the LTTE's number two then, gave him a peculiar insight into what is known by the generic term of terrorism.

Mervyn's unique achievement was the 'Daily News' which he took over in 1970. By that time he had moved with the likes of Tarzie Vittachchi, Densil Pieris and Ernest Corea who had all been Lake House editors but had never got the chance of joining their ranks. However, in 1970 he made the 'Daily

News' not only a newspaper of record (its traditional role) but also a lively forum for the exchange of intellectual opinion. On any given day you could expect to see Regi Siriwardena arguing with Fred de Silva and Fred de Silva with S. Pathiravitana that is when the editor himself was not poking fun at somebody or puncturing somebody's pretensions.

The most scintillating such encounter took place between the editor and his old Royal College guru Regi Siriwardena. Mervyn had written a piece on the death of Ezra Pound saying that he was a poet they had read as undergraduates 'on our knees'. Regi who by that time had grown disillusioned with the old English Masters rebuked his pupil drawing his attention to the riches of the European and Russian tradition with special emphasis on Anna Akhmatova, one of Regi's icons then. The debate which ensued came to a close only when the pupil reluctantly using his editorial discretion called 'finis.'

However, Mervyn's crowning achievement was without doubt the 'Lanka Guardian' which he edited to the last. It was all the more creditable for here was the editor of a mainstream newspaper, a journalist who had always known only the comforts of the 'Beira Gedera' (as the Left called it then) and briefly the 'Times' setting out on his own to launch a little journal. But I believe the best of Mervyn came out then when he cocked a snook at everybody.

Those were heady days. Jayantha Somasunderam lent part of his firm Robert Agencies for the offices of the new journal. He himself functioned as Business manager apart from contributing. (Jayantha was an old 'Nation' hand.) Gamini Dissanayake whose appearance at Mervyn's funeral was poignant since he was on holiday from Canada and was Circulation manager and everybody in town wrote for the LG. The original core contributers were S. Pathiravithana and Regi Siriwardena and later Nihal Ratnaike with Hugh Abeyratne as the Chief Sub Editor. It was printed at Ananda press owned by the late S. Shirathanantha, onetime ace political correspondent of the 'Daily News.'

The life of Marvyn de Silva, then, has passed from point to counterpoint. The Lake House editor and director ended life as the editor of a little but hugely respected journal both at home and abroad. The boy from Wattegama who moved from Dharmaraja College, Kandy to Royal College, Colombo and moved among the good and the great yet yearned for his roots. Unlike Tarzie Vittachchi and Denzil Pieris he never left Sri Lanka although he could well have afforded to make his name in the intellectual capitals of the world. Was that another sign that Mervyn did not want to forsake his roots although he had moved far from them as part of the anglicised urban elite of Colombo?

The questions will remain and I can imagine Mervyn chuckling delightedly at the enigma he has left behind. However, some things are certain. The liberal humanist values he imbibed from his Royal college teachers Dickie Atty-

(continued on next page)

(Continued from page 27)

galle and Regi Siriwardena survived reinforced by the values of Ludowyke in paradisical Peradeniya. Undergraduate irreverence combined with the moral seriousness of later life to produce his immemorial prose. He was both prophet and jester. Kautilya (one of his pen-names) and Andare. Parodist, limerick writer, political commentator and public speaker he still kept us guessing. He dressed immaculately but yet travelled by taxi or later by three-wheeler. He patronised the most exclusive clubs of Colombo but yet I remember a lunch the two of us had with the late Dharmapala Wettasinghe, editor of the 'Dinamina' at Somagiri hotel, one of the 'bath kades' down Hospital Street, now sadly extinct.

Then who was Mervyn de Silva? The riddle will endure. The only clues I can offer are his choice of 'Outsider' for one of his pen-names and his fascination with Jay Gatsby, Kafka and Fitzeyard then. Having been a great fan of John Le Carre, however, I know that Mervyn will understand the allusion from those ellician fields. •

Yogendra Duraiswamy

By K. Ranganathan

I knew him far longer then the mind can remember and the tongue can give word to. He did his father proud and followed religiously in his footsteps. Sir Waitialingam Duraiswamy was in the Legislative Council of the pre-Donoughmore era and was inducted unopposed to the State Council to become the Speaker. He remained in the exalted office until the Soulbury Parliament came into being in 1947.

Yogendra Duraiswamy was recruited to the Foreign Service in the early fifties. Beginning at New Delhi, he served with approbation, panache and distinction in many capitals of the world - at Rangoon, New York, Canberra, Baghdad, Rome, Beijing and Manila. He served for two and half years under Sir Claude Corea with the Sri Lanka Mission to the United Nations in New York.

To my mind, the finest phase of his career was after he shed the metaphorical plumes and regalia of diplomatic life and became District Secretary and Government Agent at Jaffna. That period gave point and purpose to a lifelong passion to serve his people.

Consequent to the General Strike hundreds of government employees were dismissed from service. He recruited approximately thousand youths on a strictly impartial basis to fill the vacancies. He initiated an Integrated Rural Development Programme whereby cottage industries were established and milk production was vastly increased. He launched housing projects and constructed new roads in the Peninsula. Direct dialling facilities were accelerated and a SLBC/Transmitting Centre was established. He ordered the resumption of work on the Mahadeva Causeway. Prior to his assumption of office, the decentralised

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budgets were not fully utilised. During his stewardship, all funds were fully expended.

He wanted to implement the Israeli Hydrological Expert's recommendations, for the Peninsula. He also had plans to rehabilitate the Iranamadu Tank whereby an extra 20,000 acres would have come under the plough.

He had diverse interests, principally religious and cultural. He was the President of the Sri Lanka Chapter of the Vishva Hindu Parishad. He was President of the Hindu Council of Sri Lanka. He was until recently the President of the Alumni Association of the University of Colombo. He was the Vice-President of the National Conference on Religion and Peace and an Executive Committee Member of the Asian Conference on Religion and Peace. He was a Vice-President of the World Hindu Federation. He was a Committee Member of the Alliance for Peace. He had been President of the United Nations Association in Sri Lanka.

He was a man of principles remaining loyal to his cause, always, and to the end. He never changed his ssteed for transient advantage. He was proud of his race, language and religion but he remained a nationalist to the core of his being - a SRI LANKAN first, last and altogether.

He was a spokesman for "the poorest, the loneliest and the lost." for the voiceless, the defenceless and the forlorn. He listened to all of them with calm and patience. He might not always have been able to solve their problems but gave them the salve of self-esteem, of courage and of future hope. He motivated and inspired the Minister of Justice and Ethnic Affairs to initiate the action programme "On the Spot," Service which help to solve the myriad problems of displaced Tamils.

He fulfilled many roles as a dutiful son, a conscientious and loving brother, a loving husband, an affectionate father, an accessible relative and a stout friend. He was a friend for all seasons - he shared the happiness of his intimates when they savoured victories and triumphs; he grieved with them in their sorrows.

He had a loving wife-one who was an invaluable asset to him in all his endeavours. He brought out the best in her both by precept and example. He took immense pride in all her considerable achievements. He was her mentor and guide in her community work. He used his contacts int the diplomatic corps to garner funds for the building programmes of the Hindu Women's Society.

He was singularly blessed in that his only son is a worthy standard-bearer for the dynasty as much as he pre-eminently was. He will have an assured place in the hearts and minds of his people long after the tub-thumpers, the soap-box orators and the self-styled "liberators" have left the plinth. •

Media Freedom

In early June, media groups launched a protest campaign against proposals by a 3-member special Committee regarding implementation of the Official Secrets Act. These proposals had been submitted to the Cabinet, which has for the past several years been plagued with complaints of 'leaks' and 'informers'.

The committee, comprising the secretaries of the Media and Justice ministries and a senior official of the Attorney General's department was appointed in May 1999, with a mandate to look into ways through which the Official Secret Acts of 1953 and Press Council laws could be invoked to control leakage of Cabinet news.

The Official Secrets Act defines an 'official secret' as '.....any secret official code word, countersign or password, any particulars or information relating to a prohibited place or anything therein, any information of any description whatsoever relating to any arm of the armed forces or to any implements of war maintained for use in the service of the Republic or to any equipment, organisation or establishment intended to be or capable of being used for the defence of Sri Lanka'. Publication of an official secret is punishable by an astounding period of fourteen years imprisonment of either description and a fine not exceeding twenty thousand rupees.

The Press Council Law also prohibits any publication of an "official secret" within the meaning of the Official Secrets Act without such publication being approved by the Secretary, Defence. Under Section 16, there is an explicit prohibition on the publication of 'any matter' which purports to be the proceedings or part of the proceedings of a meeting of the Cabinet of Ministers or any part of any document sent to or by the Ministers or Cabinet Secretary or any decision of the Cabinet. Any person who contravenes the provisions could be punished by a fine not exceeding five thousand rupees and/or with imprisonment of either description for a term not exceeding two years.

Given that provisions prohibiting the publication of cabinet secrets already exists in the Sri Lankan law, the move by the government was seen to be particularly offensive to all defenders of freedom of expression. Critics pointed out that the definition of 'official secrets' in the Act was contradictory with Constitutional guarantees; in fact, they commented that the Act puts Emergency Regulations to shame. The punishments imposed by the Act are excessive, and in cases of gross misconduct no attorney at law can represent the accused.

'Lakbima' journalist Sri Lal Priyantha and three others who had been remanded a few weeks ago for alleged murders committed during the 1988/1989 period in Welipanna, Matugama, were ordered to be further remanded till the 21st June by the Matugama Magistrate and Additional District Judge Sri Sumanda Herath when the case came up for hearing on June 7. •

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MATRIMONIAL

Catholic parents *seek for pretty graduate daughter, 23, professional groom. Please send details. M 1118 c/o Tamil Times.*

Jaffna Hindu parents in US *seek professional groom in US for daughter, medical doctor, 26. Send horoscope, details. M 1119 c/o Tamil Times.*

Jaffna Hindu parents *seek a professional for graduate daughter, I.T.(UK), 25, well employed in Colombo. Send horoscope, details. M 1120 c/o Tamil Times.*

Jaffna Hindu parents *seek educated partner for fair, pretty daughter, 36, M.B.A., A.C.C.A., Accountant. Send horoscope, details. M 1121 c/o Tamil Times.*

Jaffna Hindu brother *seeks educated groom for pretty sister, 32, 5"5" dental surgeon working in Sri Lanka. Send horoscope, details. M 1122 c/oTamil Times.*

Uncle *seeks Christian groom, professional preferred, for niece, 30, (London), father medical practitioner, Colombo. M 1123 c/o Tamil Times.*

Jaffna Tamil Hindu parents, *Canadian residents, seek educated partner for engineer son, 34, (B.A.Sc. Engineering, Canada), Canadian citizen, well employed in Canada. Send horoscope, details M 1124 c/o Tamil Times or Fax Canada 416 283 1745.*

WEDDING BELLS

We congratulate the following couples on their recent wedding.

Sasitharan *son of Mr & Mrs V. Ratnam of 39/4 Pakkiaraja Lane, Upstair Road, Batticaloa, Sri Lanka and* **Ananthy** *daughter of Mr & Mrs S. Sridas of 100-91 L'Amoreaux Drive, Scarborough, Ontario M1W 2J8, Canada on 23.6.99 at Toronto Richmond Hill Vinayagar Kovil Mandapam.*

Sivasoruban *son of Mr & Mrs S. Kanagasabai of 24 Ashridge Drive, Bricketwood, St. Albans, Herts AL2 3SH and* **Jeyaraatha** *daughter of Mr & Mrs Jeyaraja of C/26/3/1 Soysa Pura Flats, Moratuwa, Sri Lanka on 28.6.99 at Miami Beach Hotel, Alexandra Road, Colombo 6.*

OBITUARIES

Mrs Maheswary Ayadurai, *(79), beloved wife of the late Mr Nagamuttu Ayadurai (Pookuddi) of Koddady Jaffna; loving mother of Somesan (Australia), Sri Nalini (Colombo), Vimalanayakie and Sakunthala (both of UK); mother-in-law of Toni, Kugathasan, Balendran and Gnaneswaran; grandmother of Shivan, Niall, Oshin, Ferdia, Yarlini Jeyakumar, Sivayini Arulkumaran, Umayini, Balarajan, Rakulan, Bamini and Luxmi; great grandmother of Ragavi and Poornima; sister of late Mrs Thayalnayagi Sivagnanam, Mahesan, Mrs Valambikai Rajendram and of Nadesan (Australia), Mrs Saraswathy Ganeshan (UK) and Sivasubramaniarn (Jaffna) passed away in London on 24th June 1999.*

The members of her family thank all friends and relatives who attended the funeral, sent messages of sympathy and floral tributes and assisted in various ways during the period of bereavement. - Mrs V. Balendran, 69 Manor Drive North, New Malden, Surrey KT3 SPA. Tel: 0181 335 0757.

Mr Yogendra Duraiswamy, *formerly of Sri Lankan Foreign Service; dearly beloved husband of Sivanandini (President, Saiva Mangaiyar Kalagam, Colombo); devoted father of Dr Naresha Duraiswamy; son of the late Sir Waithilingam and Lady Duraiswamy; son-in-law of the late Dr. and Mrs T. Nallainathan; brother of the late Mahendra, Rajendra, Maheswari and of Nadeswari, Puvaneswari, Parameswari and Devendra; brother-in-law of Rudrani Balakrishnan (UK), Dr Sanatkumar Nallainathan (USA) and Sivarangani Chandraraj (USA) passed away peacefully on 17th June 1999 in Colombo. - 9 Castle Lane, Colombo 4, Sri Lanka.*

Mrs Rasathy Thirunavukkarasu *(64), daughter of the late Dr. & Mrs Ambalavanar of Suthumalai, Sri Lanka; beloved wife of Mr C.Thirunavukkarasu (Retired Education Officer, Nigeria); loving mother of Vasuki and Dr. Vatsala; grandmother of Thushan and Suji; brother of Dr. Ponnampalam (Melbourne, Australia), Sritharan, late Shanmuganathan, late Dr. Gangatharan all of Sutumalai; Sri Lanka; mother-in-law of Pathmalingam and Suresh; sister-in-law of Manohari, Jayanthi and Indrani passed away on 4th July 1999. The funeral took place on Wednesday, 7th July and she was cremated at the New Southgate Crematorium.*

The members of her family thank all those who attended the funeral, sent messages of sympathy and assisted during the period of bereavement - 28 Foxhead Close, Enfield, Middx EN2 7JG. Tel: 0181 363 0922.

Gnanapooranam *beloved wife of the late Kandasamy; loving mother of Jayathilakam and Jeyalukshmy (both of USA); mother-in-law of K. Ponnampalam and T.S. Mylvakanam (both of USA); grandmother of Shyamala, Nirmala (both of UK), Brindhaban, Kumar, Manoharan (all of USA), Rathy, Komathy (both of UK) and Rajkumar (USA); grandmother-in-law of Dubsy, Ratneswaran, Harry, Chandran (all of UK) and Devaki (USA); great grandmother of Arani, Anuja, Deepam, Dharran and Thanujan (all of UK) passed away on 29th June 1999 and was cremated at Kanatte, Borella, Sri Lanka at 4p.m.on 3Oth Jane.*

The members of her family thank all friends and relatives who attended the funeral, sent floral tributes and messages of sympathy and assisted them in several ways during the period of bereavement. - 19 Huxley Place, Palmers Green, London N13 5SU, UK. (Tel: 0181 886 5966)

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OBITUARIES ctd

Mrs. Saraswathy Somasundaram. *Beloved of her husband, family and community; former Principal of Uduvil Girls College; In the midst of living she passed away unexpectedly in her sleep, in the house she grew up in, at Uduvil on 11th July 1999. She laboured long in the gardens of the Lord. Her spirit lives in us and the trees bear fruit. - Amaragiri, Uduvil, Chunnakam.*

IN MEMORIAM

First Death Anniversary of

Dr. S.A. Tharmalingam, *Retired Medical Practitioner and former Mayor of Jaffna Municipal Council, who passed away on 5th July 1998 was observed with an Abishekam and Poojah at London Sivan Kovil in Lewisham, UK and a similar Poojah and Annathanam at Sri Durgadevi Devasthanam in Tellipallai, Sri Lanka.*

Sadly missed and fondly remembered by his children Tharmamabal, Dr. Tharmasothy and Dr. Tharmadevi; sons-in-law Dr. Navaratnam, Professor Balarajan and Dr. Vigneswaran; grandchildren Sarvesvaran, Janani, Jeyaganeshan, Dr. Vaseeharan, Anand, Varshini, Yarlini, Thayalan and Dinesh. - 5 Windy Hill, Hutton, Brentwood, Essex CM13 2HF.

In loving memory of **Mrs Mankay Sivasampu** *on the ninth anniversary of her passing away on 2.8.90.*

Sadly missed and fondly remembered by her two sons. - 15 Wolsey Road, Chessington, Surrey KT9 1XG.

FORTHCOMING EVENTS

Aug 1 *Feast of St Alphonsus.*

Aug 5 *Karthigai.*

Aug 6 *Feast of the Transformation of the Lord Jesus Christ.*

Aug 7 *Eekathasi; South London Tamil Welfare Group (SLTWG) Drop in. Tel: 0181 542 3285.*

Aug 8 *Pirathosam; Feast of St Dominic.*

Aug 10 *Adi Amavasai; Feast of St Lawrence.*

Aug 11 *Feast of St Clare.*

Aug 13 *Adi Pooram.*

Aug 14 *Sathurthi.*

Aug 15 *Feast of the Assumption of Blessed Virgin Mary.*

Aug 16 *Shashti.*

Aug 20 *Varalakshmy Viratham; Feast of St Bernard.*

Aug 21 *SLTWG trip to Clacton Beach Tel: 0181 542 3285; Feast of St Pius X.*

Aug 22 *Eekathasi.*

Aug 24 *Pirathosam.*

Aug 26 *Full Moon.*

Aug 27 *Feast of St Monica.*

Aug 28 *6pm Abdul Hameed presents 'Paadukku' Paddu' and 'Joddy Kuyil' competition at Logan Hall, 20 Bedford Way, London WC1. Tel. 0181 904 5939. SLTWG Women's Group Trip to Poole. Tel: 0181 542 3285. Feast of St Augustine.*

Aug 29 *Feast of St John the Baptist.*

At Bhavan Centre, 4A Castletown Road, London W14 9HG. Tel: 0171 381 3O86/4608.

Aug 6 *7.45pm Kathak Dance by Saswati Sen from India.*

Aug 7th & 8th *6.00pm Summer School Finales* - **Book Early.**

Aug 13 *6.00pm* **Sight & Sound Exhibition** *of Paintings and Musical Instruments, Inauguration by His Excellency Sri Lalit Mansingh, High Commissioner for India, All Welcome.*

Aug 13 *7pm Indian Independence Day Celebrations with Speeches and Cultural programme of Music and Dance in the presence of the Chief Guest, The High Commissioner for India. All Welcome.*

Aug 14th & 15th *10am - 5pm Continuation of Sight & Sound Exhibition of Paintings and Musical Instruments' All Welcome.*

Katpaham's Bharatha Natya Arangetram

Katpaham, *daughter of Mr & Mrs M. Shantikumar of Batticaloa had her Bharatha Natya Arangetram on 27th March 1999 in the Auditorium of the International School of South Africa, Mafikeng. The Chief Guest was Hon. Zipporah Tumagole, Minister of Arts, Culture and Sports, North West Province, South Africa. Smt Balasundat Prathalingam, the internationally renowned Bharatha Natya Guru had guided the dancer on the finer points of the dances. The auditorium was filled to capacity as this arangetram was the first of its kind staged in Mafikeng by a Sri Lankan dancer with live music with reputed artistes.*

Katpaham commenced her programme with the traditional Mallari/Alarippu followed by Jatiswaram, Sabtham - 'Kannane unnai enniye' and Varnam the central and most important item which took about thirty minutes. The audience was kept spellbound as Katpaham danced with confidence and precision. After the intermission she performed the pathams, 'Aadiduvan' and 'Mattunagar Vaaviyile' followed by Javali - 'Vani Ramannave', Thillana and Mangalam. Smt Balasundai's choreography was well appreciated by the multiracial audience.

Katpaham is a disciple of Smt Rajini Ratnayake and had earlier learnt from Smt Anusha Ayaru and Selvi Yamini Ramasamy in Zambia.

The members of the orchestra were Smt Rajini Ratnayake - Nattuvankam, Smt Balasundari Prathalingam - Vocal & Choreography, Sri Karthigesan Pillay - Vocal, Smt Srithevi Padmanathan - Violin, Sri Haresh Prahlad - Mridangam, Smt Rani Chandramohan - Veena and Sri Devalpally Vidyanath - Flute. Sri Umakanthan Vinasithamby and Selvi Radhika Ramanathan were the comperes.

Dr. Aiyadurai Karunanandhan

Dr. Karunanandhan, who passed away recently at the age of seventy eight was a person of outstanding talents which went largely unnoticed and unrecognised. He specialised in simulations all on his own. His first effort, while he was a student of Madras Christian College in the B.Sc., class was a model airplane about 6 ft x 6 ft which he built all by himself out of aluminium and demonstrated the principles of the lift and flight of the plane. Instead of the plane flying, he made the landing ground to move under it at increasing speeds when the plane lifted off the ground and the movement of the ground underneath gave the illusion of the plane in flight. This model was in great demand in colleges and schools at science exhibitions both in Madras and later on, in schools in Sri

Continued on page 32

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Lanka and the Colombo Plan Exhibition where students were able to study and understand the lift and flight of the plane.

Another innovation of his was to make cut-out cardboard models of important buildings. Students could break away sections of the cardboard and following instructions, could assemble the buildings for themselves. He made models of the Taj Mahal, Buddha Gaya, the famous Hindu temple at Tanjore and locally of the Bandaranaike Memorial International Conference Hall and the Dalada Maligawa, the last two he presented to the then Prime Minister. Though original and ingenious, the models did not catch on as he had expected with school children.

At the university of Peradeniya, he was a senior lecturer in the Faculty of Education where he used his expertise in the use of audio-visual aids in teaching, to instruct teachers doing their post-graduate diploma. He finally retired as Head of the Department of Education, Jaffna University.

Karunanandhan was also an artist in his own way. His scientific drawings were so meticulously accurate in such detail that they were a treat to look at. His botanical drawings are still preserved in the Botany Museum of the Madras Christian College.

After taking his degree, he taught for some time and at the age of 28 was invited to be Principal of a newly established college, called Yarlton College at Karainagar, Jaffna. He was far ahead in his thinking and his views, to last very long in this highly orthodox and conservative society in Jaffna. From there he served on the staff of Trinity College and Jaffna Central College for a few years. In 1954 he went on a Smith Mundt Scholarship to the University of Ohio, USA, where he obtained his Master's degree in education. He was a visiting scholar at St. John's College, University of Cambridge in 1968. His speciality was simulated experience which was also his thesis for Ph.D. in the University of Ceylon. He also served the South Pacific Commission for two years again being sought for his expertise in the audio-visual field.

Karunanandhan was a simple and humble man of small stature and looking at him many would not have believed that he was a good tennis and table tennis player in his time, having represented the university at both sports. He hailed from a well-known and influential family in Jaffna, his father having been a lawyer active in local politics and having served as Mayor of Jaffna in the early forties. Having known him for over fifty years I could say that he was a man of extraordinary talents and ingenuity and an original thinker. It is a little disappointing that he did not rise to the heights of his full potential and that he went largely unrecognised in his lifetime. Maybe he was a little ahead of his time. I have great pleasure in paying him this tribute.

Dr. E.S. Thevasagayam

Kirthi's Mridanga Arangetram

Kirthi, *son of Sri & Smt Varodayasingam of Carshalton Beeches, Surrey and pupil of Sri Somasundaradesigar was truly the star of the evening on 19th June 1999 at the Beck Theatre, Hayes, Middx in the concert with India's outstanding genius vocalist Sri O.S. Thiagarajan. Sri Thiagarajan's music is appreciated for its classicism, musical depth, tonal splendour and stupendous improvisation skills. I was impressed by his firm and mature sense of layam and especially his ability to accompany suitably the 'vallinam' and 'mellinum' of the rendition and follow through with a nice sense of anticipation.*

The distinguished Chief Guest of the Arangetram, mridanga maestro Karaikudi Sri R. Mani enlightened the many rasikas as to what is actually expected of a mridangist in accompanying the song 'Soha Soha Mridanga Thalamu'. It is the beautiful play as attempted by Kirthi that showed his feel for vocal 'gnanam' or knowledge and not simply playing 'softly' in sarvalagu mode. It gave great happiness for the audience and, in particular, his teacher to watch Kirthi's development as a fine mridangist at thirteen years of age.

The thani-avarthanam played by Kirthi was brilliant. He enthralled the audience with a scintillating essay in Thisram tempo (which I understand was composed specially by Karaikudi Sri R Mani for this occasion). The Upa-pakavadya players, Sri Prakash on Ghatam and Sri Sithamparanathan on the morsing contributed enormously to the success of the percussion interlude led by Kirthi. The arangetram turned out to be indeed a rare presentation for the London audience as it reached a stature of being a Chennai Easai Vizla concert, full of challenges for all the musicians including Kirthi, the debutante and Sri Balu Raguraman, the fine violinist. It was encouraging to see a wide range in the audience of vocalists, mridangam teachers, leaders of music institutions, students, rasikas and wellwishers who took a keen interest in attending the recital to bless the young artiste.

Kirthi comes from a family with a well established background in Karnatic music and dance. His mother Smt Girija is a well known exponent of Bharatanatyam. He derives further inspiration from his grandmother, Smt Shanmugasundaram who was a dedicated student of veena and his uncle Sri Ravichandran, a mridangam virtuoso living in Australia.

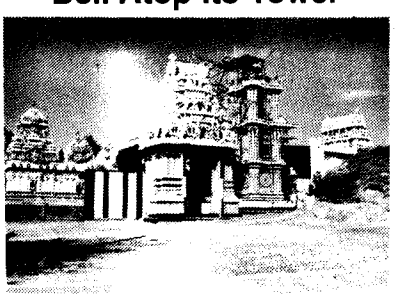
Pulavar Sivanathan created a special composition in praise of Bhagawan Baba, which was beautifully tuned and rendered by Sri O.S. Thiagarajan in raga Valajie. Kirthi showed his gratitude to his music teachers Smt Saraswathy Packiarajah and Smt Sivasakthi Sivanesan by honouring them during his recital. The Deputy Headmaster of Kirthi's school spoke on the importance of cultural values and Smt Pushkala Gopal, the artistic director of Mudralaya gave a brief appraisal of the concert.

Sruthi-Laya-Seva of Karaikudi Sri R. Mani founded by Sri Somasundaradesigar in London should be applauded for providing a very important source of growth of Karnatic Music.

With the valuable blessings and advice, gifts from Bhagawan and the guidance of his teachers, I am certain that they will stand Kirthi in good stead for the future not only to develop as a great artiste but also as a good and happy person.

Sinthu

Thirukoneswaram Temple Bell Atop its Tower



The Kumbabishekam of the Mani Gopuram of the new bell of the Thirukoneswaram Temple, Trincomalee, Sri Lanka; the picture of which appears above took place on 4th December 1998. The funds for the bell were collected mainly in the UK. The cost of the bell tower was met by Mr. P. Keerthidas, a resident of Trincomalee.

Book Review

The Dangerous New World by Maulia Selvarajah (ten years) available at £2.50 inclusive of postage from 48 Hallwicks Road, Luton, Beds LU2 9BH. Tel: 01582 726398.

I am delighted to read this book full of adventure and surprises. There is a good climax and a pleasant ending. My favourite character was Jacky, most because I am a totally different person to him! I especially liked the chapter about Atusha's story - it was very imaginative, yet almost real. The story flows well and has smaller events within the theme.

Lakshmi Srikantha Rajah. *(11 years)*

Piththukkuzhi Sings in Aid of Tamil Orphans

Senthamizi Issaivaanar Swami Piththukkuzhi Murugathas is taking an active part to swell the funds of the Tamil Orphans Trust in its campaign to provide assistance to the destitute and helpless Tamil orphans in the North and East of Sri Lanka. The Tamil Orphans Trust is organising concerts at the following centres where he will sing devotional songs.

7th August *99 6.30 p.m. Wembley High School Hall, East Lane, North Wembley, Middx*

8th August *99 6.30 p.m. Tolworth Girls' School Hall, Fullers Way North, Surbiton, Surrey.*

14th August *99 6.30 p.m Trinity Community Centre, East Avenue, East Ham, London E12 6SJ.*

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Mohiniattam by Karthiyayini

Kathiyayini Srinivas from India gave an enjoyable recital of Mohiniattam recently at the Archbishop Lanfranc School Hall in Croydon in a programme jointly sponsored by Vijayanarthanalaya and Link Air Travels. Karthiyayini, a pupil of Aravindans of Koothambalam started the recital with Pushpanjali, Slokam and Sivastakam. Good combination of pure dance with devotional Bhakti Bhava made this invocational piece a very good beginning of the evening's programme. This was followed by Keerthanam composed by Maharaja Swati Tirunal of Travancore describing the Thandava, the cosmic dance of Lord Nataraja with all its beauty and majesty, well portrayed by Karthiyayini.

The main piece of the evening was a well chosen poem by Mahakavi Vallathol Narayana Menon, the founder of Kerala Kala Mandalam titled 'Radhayude Kritharthatha' (Gratitude of Radha). It is a story of a love between a poor girl and a rich boy from an aristocratic family, which ends in the boy marrying a girl of equal status leaving the poor girl as an episode of the past. The girl cherishes her love and consoles her- 'I may be the night who wants to touch the Sun, but no one can take my memories away from me. Let the couple be happy. I am happy to live in that part of the world, where he lives'. The different situations present ample scope for abhinaya on Sataika as well as Srigara moods and Karthiyayini took full advantage and did ample justice portraying the beautiful heroine with subtlety and dignity. The pure dance sequences and crisp teermanams added to the beauty of the item.

The second half started with an Ashtapati of Jayadeva in raga Darbarr Kanada set to Chaturaeka tala, in which Karthiyayini brought the Viraka Bhava very well and kept the flow of the theme throughout. The Bhajan Chaleiya in Hindi by Maharaja Swati Tirumal brought excellent variety to the repertoire and lent colour and freshness to the evening. The lullaby or 'Talattu' by Iraymann Thampi brought the universal aspect of joyous motherhood. The Valsalya bhava of a mother towards her child was well depicted and her control of Abhinaya was remarkable.

The evening ended with a well presented Tillana with fast swaying pure dance patterns and beautiful poses which lead to the traditional mangalam.

Karthiyayini was garlanded and honoured by Dr Vijayambigai Indrakumar. An enjoyable evening of Mohiniattam by a sensitive, capable artiste with a good repertoire, choreography and musical support.

Parvathy Nair
Bharatiya Vidya Bhavan.

Obituary – Correction

In the obituary of **Mrs. Leela Ratnam** which appeared in the June 99 issue; it should appear as mother-in-law of Indira (Australia) and not Chitra (Australia).

Innovations of the ITC Fine Arts

'East is east and west is west
And never the twain shall meet'
wrote Kipling. Had he been alive today, he would have been compelled to think differently. The programme staged by The Institute of Tamil Culture Fine Arts on 27th June 99 at the Secombe Theatre, Sutton illustrated in a graphic form how well these two cultures co-exist in the hearts and minds of our youngsters.

Under the title 'Innovations', over fifty present and past pupils of the Institute of ages ranging from four to twenty, staged a magnificent fashion show. The idea was conceived, planned and executed by the youngsters themselves and embellished by their eminent dance teacher Subatra Shanteeban. The show itself was presented brilliantly with excellent stage lighting and background music skilfully mixed with melodies from film songs of different languages. The 'cat walk' which was a fusion of classical eastern dance and western dance movements was performed confidently by the youngsters. The entire show had a very professional touch. However, it might have raised the eye brows of a few 'old fashioned'. They may derive some satisfaction from the Tamil saying, 'Aadira maadai aadi karakkanum'.

Before and after this show were two traditional items, a Villuppaddu and a Tamil play titled 'Better late than Never'. The Villuppaddu, the story of Savithiri and Saththiavan was a full length comedy presented by parents of the pupils of the Institute ably directed by Mr K. Maheswaran. It looked professional in every aspect, the singing was good and the show captivated the audience.

The concluding item was the play. The theme centred around the unhealthy rivalry between the proverbial daughter-in-law and mother-in-law. The current trend in England of the older generation being sidelined at the expense of the extended family was well portrayed. The author cum director Mr V.Poopalasundaram along with the actors who are also parents of pupils of the Institute should be congratulated for the enjoyable time we had. It was a serious play made light by the addition of comedy, which made us not only laugh but also think.

True to the caption of the performance, the ITC Fine Arts while embarking on an innovation, has avoided the beaten track and presented an enjoyable evening. It is hoped we can look forward to many more innovations in the future. Well done!

Hindolam.

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